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ABSTRACT

This report not only examines the role of mass education in the integration of minorities into the society, but also examines the importance to minorities of the cultural transmission of their values and world view recognized by international standards. The general human right to education implies certain duties of the state under the 1948 Universal Declaration of Human Rights of the United Nations. The chapters in this volume present various aspects of the challenge, including: (1) "State Education and Minority Rights" (Crispin Jones); (2) "International Standards" (Patrick Thornberry); (3) "The Prerequisites of Education" (Chaloka Beyani); (4) "Language and Education" (Crispin Jones and Rachel Warner); (5) "Aspects of Religion in Secular Education" (Jagdish Gundara); (6) "The Role of the Curriculum" (Sarah Graham-Brown); and (7) "Directions for the Future." A companion piece profile, entitled "Exchange and Encouragement," focuses on the related field of indigenous peoples, specifically the Ainu of Japan. This report addresses a global issue with emphasis upon the need for further research and debate on the topic. (EH)

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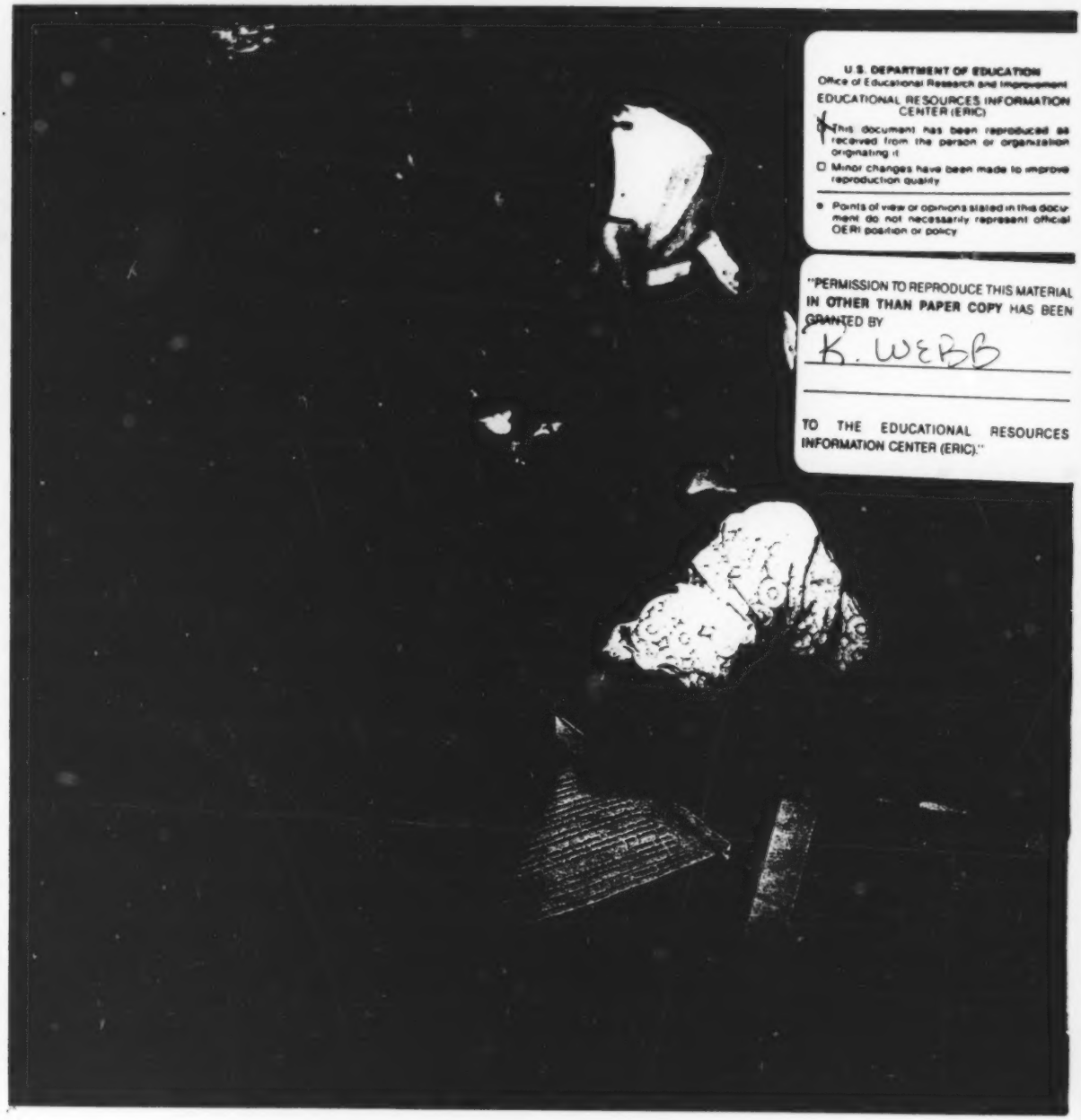
EDUCATION RIGHTS AND MINORITIES



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MINORITY RIGHTS GROUP

is an international non-governmental organization working to **secure justice for minorities suffering discrimination and prejudice** and to **achieve the peaceful coexistence of majority and minority communities.**

Founded in the 1960s, MRG informs and warns governments, the international community, non-governmental organizations and the wider public about the situation of minorities around the world. This work is based on the publication of well-researched reports, books and papers; direct advocacy on behalf of minority rights in international fora; the development of a global network of like-minded organizations and minority communities to collaborate on these issues; and by **the challenging of prejudice and promotion of public understanding** through information and education activities.

MRG believes that the best hope for a peaceful world lies in **identifying and monitoring conflict** between communities, **advocating preventive measures** to avoid the escalation of conflict and **encouraging positive action** to build trust between majority and minority communities.

MRG has consultative status with the United Nations Economic and Social Council and has a linked international network of affiliates and partner organizations, as part of its channels for human rights advocacy. Its international headquarters are in London. Legally it is registered both as a charity and as a limited company under United Kingdom law with an International Governing Council.

THE PROCESS

As part of its methodology, MRG conducts regional research, identifies issues and commissions reports based on its findings. Each author is carefully chosen and all scripts are read by no less than eight independent experts who are knowledegable about the subject matter. These experts are drawn from the minorities about whom the reports are written, and by journalists, academics, researchers and other human rights agencies. Authors are asked to incorporate comments made by these parties. In this way, MRG aims to publish accurate, authoritative, well-balanced reports.

Children in Tehuantepec, Mexico

LIBA TAYLOR /PANOS PICTURES

EDUCATION RIGHTS AND MINORITIES

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DECLARATION ON THE RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

The General Assembly, *Reaffirming* that one of the basic aims of the United Nations, as proclaimed in its Charter, is to promote and encourage respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion, *Reaffirming* faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, *Desiring* to promote the realization of principles contained in the Charter of the United Nations, the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the Convention on the Rights of the Child, as well as other relevant international instruments that have been adopted at the universal or regional level and those concluded between individual States Members of the United Nations, *Inspired* by the provisions of article 27 of the International Covenant on Civil and Political Rights concerning the rights of persons belonging to ethnic, religious or linguistic minorities, *Considering* that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to the political and social stability of States in which they live, *Emphasizing* that the constant promotion and realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as an integral part of the development of society as a whole and within a democratic framework based on the rule of law, would contribute to the strengthening of friendship and cooperation among peoples and States, *Considering* that the United Nations has an important role to play regarding the protection of minorities, *Bearing in mind* the work done so far within the United Nations system, in particular the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities as well as the bodies established pursuant to the International Covenants on Human Rights and other relevant international human rights instruments on promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities, *Taking into account* the important work which is carried out by intergovernmental and non-governmental organizations in protecting minorities and in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities, *Recognizing* the need to ensure even more effective implementation of international instruments with regard to the rights of persons belonging to national or ethnic, religious and linguistic minorities, *Proclaims* this Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities:

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories, and shall encourage conditions for the promotion of that identity.
2. States shall adopt appropriate legislative and other measures to achieve those ends.

Article 2

1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.
2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.
3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.
4. Persons belonging to minorities have the right to establish and maintain their own associations.
5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group, with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

Article 3

1. Persons belonging to minorities may exercise their rights including those as set forth in this Declaration individually as well as in community with other members of their group, without any discrimination.
2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights as set forth in this Declaration.

Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.
2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.
3. States should take appropriate measures so that, wherever possible, persons belonging to minorities have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.
4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.
5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

Article 5

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.
2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

Article 6

States should cooperate on questions relating to persons belonging to minorities, including exchange of information and experiences, in order to promote mutual understanding and confidence.

Article 7

States should cooperate in order to promote respect for the rights as set forth in this Declaration.

Article 8

1. Nothing in this Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.
2. The exercise of the rights as set forth in this Declaration shall not prejudice the enjoyment by all persons of universally recognized human rights and fundamental freedoms.
3. Measures taken by States in order to ensure the effective enjoyment of the rights as set forth in this Declaration shall not prima facie be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.
4. Nothing in this Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

Article 9

The organs and specialized agencies of the United Nations system shall contribute to the full realization of the rights and principles as set forth in this Declaration, within their respective fields of competence.

PREFACE

The importance to minorities of the transmission of their values and world view through education has long been recognized by international standards. Minority Rights Group (MRG) has commissioned this study of the relationship between education rights and minority rights in order to encourage the effective development of those international standards, and to promote a deeper awareness of the complex variety of experience at a local level. This report differs from the majority of the MRG publications series in that it addresses a thematic issue on a global level. Although this is an ambitious undertaking, it is intended to be a starting point for a wider debate and to promote further research to reveal the range of educational initiatives taken by minorities and majorities. The report will be discussed in seminars and may lead to a fuller book.

MRG advocates the rights of all disadvantaged national and ethnic, linguistic or religious peoples, whether they are numerical minorities or majorities. Those under discussion are simultaneously individual human beings with human rights, and also members of a particular ethnic group, a state, and a global community. Added to these plural identities are others such as gender, age and ability. In a thematic report such as this, the authors were faced with both the dangers of defining minorities and the difficulty of generalizing from a range of experience. As well as recognizing the heterogenous aspects of minority groups, they have sought to demonstrate the differences within minority groups. The cases cited range from national minorities engaged in long-standing national struggles to assert the identity of an entire culture, to migrant groups of differing lengths of settlement and prosperity. Economic and social conditions encompass marginality and open conflict at one extreme, and prosperity and relatively high degrees of acceptance and integration into the majority society at the other. Throughout the report individual testimonies reveal experience which is shaped not only by the minority group, but also by gender and generation.

In the related field of indigenous peoples, there are extensive references in international standards to education with many valuable insights into the educational needs of groups other than indigenous ones. For this reason, it is an indigenous person's voice from the Ainu of Japan which features in the separate Profile of this report. The Profile is a summary of the latter's contents and will be widely distributed for advocacy purposes.

Just as minorities defy definition, so too is education an interactive process which knows no boundaries. It begins within the home where the child learns its first language and is presented with parental and sibling roles. Individual attitudes and behaviour then develop as a result of interaction with the social and natural environment. The school is only a small part of this environment and it is set within the whole society, of which the state is the major institution.

The authors focus on the school in this report. This emphasis does not imply that education only takes place there. Rather, it is a continuing process, from birth and the home onwards, and is not restricted by age or formal institutions. In other MRG publications attention has been devoted to education outside the school environment, for example on educational efforts to promote health and eradicate the practice of female genital mutilation.[1] MRG's work is also informed by partner organizations in both Bulgaria and Egypt who are engaged in research and publication into the interaction between minorities and electronic media such as television and radio. Support for educational work to promote minority rights for people in professional sectors such as the police, legal professions, national and local government is another aspect of MRG and its partners' educational activities.

These wider educational experiences are thus the backdrop to this report. However, it is the development of mass education for school-age children which is its main interest. Mass education has played an important role in promoting integration and uniformity in states, both in the industrialized societies of the North and in the post-colonial ones of the South. Many states are quite explicit in giving the primary objective of their educational system as the promotion of national unity and/or economic development. States do, as Crispin Jones points out in Chapter 1, maintain the principle of a differentiated educational system; however, this differentiation may not necessarily be based on cultural identity. How far the development of mass education has been at the expense of diversity and the identity of minorities is one of the central dilemmas discussed in this report.

The general human right to education implies certain duties of the state and, like all other rights in the Universal Declaration of Human Rights (1948), this particular right must be accorded 'without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status' (see Chapter 2). As Patrick Thornberry indicates in his examination of international standards, this approach to the value of education reflects an intercultural rather than a cultural perspective and may lead to assumptions that cultures can look after themselves, secure in their own value systems. For threatened groups, norms promoting mutuality of respect need the additional strength of norms to ground the validity of particular cultures through educational and other means.

Chapters 4, 5 and 6 therefore reflect an ambivalence: the value of intercultural education, which concerns the education of the majority as much as the minority, and the value of education which protects and promotes the cultural identity of the minority. The latter may require separate education systems, and the International Labour Organisation (ILO) Convention No. 169 (1989), Article 27.3, pledges governments to 'recognize the rights of...[indigenous]...peoples to establish their own educational institutions and facilities'. However, while responses to the educational needs of minorities which reflect distinctions between cultural identities may lead to separate education systems, intercultural education has a contrary and complementary effect and produces a system which fosters inter-group relations. For there to be the encouragement of mutual understanding, tolerance and friendship between nations, religions and races, there has to be an exchange between groups.

The importance of intercultural education is clearly stated in the UN Declaration on Minorities: 'States should, where appropriate, take measures in the field of education

in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.'

Language has been seen as one of the most critical ways in which minorities define themselves, yet it cannot be divorced from its cultural content. Questions of language therefore overlap with those arising from the existence of different value and belief systems. Both the chapter on Language and Education (4) and that on Aspects of Religion in Secular Education (5), consider the usefulness of the distinction between the public and the private domains. Rachel Warner describes how, despite language loyalty on the part of children from minority groups, the language of school may begin to capture the domain of home. Minority groups need to be taught the national language of the state in which they live, and be taught it effectively, in order to participate fully in society. However, access to the language of power and government through education can distance minority members from their own cultures, while reinforcing the isolation and oppression of those who remain outside the dominant culture. If majority languages have prestige and status, whereas minority languages are perceived by members of the majority as inferior and low status, children may become reticent in their use. Similarly, minority communities will only feel confident in their religious identity if the values of the private domain, which are often articulated through religion, are taught in such a way that the values of all children in the society are validated. Jagdish Gundara asserts that positive secularism goes beyond the merely religious toleration of other groups but, rather, moves towards the notion of all groups belonging in society. Only if respect for cultural diversity is a common basic value is it possible to resolve the complex issues raised by cultural diversity.

In the concluding chapter (6), Sarah Graham-Brown examines the role of the curriculum. Curriculum development reflects the ideological as well as educational priorities of the state. Literacy has enabled people to create authorized versions of their history and, especially where a particular ethnic group or elite dominates government, control over the curriculum often leads to the construction of a version of history which heightens their political and social roles at the expense of others. In addition, it is noteworthy that the dominant education system often remains Euro-centric, even in post-colonial societies, and the knowledge of the minority culture is marginalized by a majority culture which has itself been previously suppressed.

Where attempts have been made to develop multicultural education to reflect the cultural diversity of society, some have criticized a tendency to focus on the minority rather than discussing the majority's own attitudes towards other groups. This issue of the relationships between cultures is reflected in the degree to which minority representatives participate in educational policy-making and production of the curriculum. Bearing in mind the significance of heterogeneity both between groups and within groups, it cannot be assumed that membership of an oppressed minority means everyone in that group agrees on the nature of their culture and identity or how these should be reflected in the curriculum. Intercultural dialogue, if combined with education from a cultural identity perspective, allows minority members the opportunity to debate these issues without feeling that disagreements are harmful to the group's interests.

The extent to which the right to education may be exercised and enjoyed by minorities and majorities depends upon certain political, economic and social conditions which obtain in states (see Chapter 3). The issues of language, religion and curriculum discussed in Chapters 4, 5 and 6 are significantly affected by the economic resources available to states to provide universal education. MRG seeks further evidence to illustrate the degree to which structural adjustment policies, which seem in essence to detract from the obligations of states to provide education in the context of economic, social and cultural rights, have had particularly adverse effects upon minority groups. Minorities have the same right to participate in education as other citizens of the state. While it is not possible to know what would have happened had structural adjustment policies not been imposed, where they are in place, minority groups are often to be found among the most disadvantaged sectors of the population, and may be the most vulnerable to cuts in economic resources and the introduction of fees.

Lastly, the normal patterns of life, including educational activities (whether formal or informal), are effectively disrupted in areas suffering armed struggles and civil strife. This is true for both minorities and majorities, but it is the breakdown of inter-group relations which may itself be one of the reasons for the violence. A peaceful environment is both conducive to education and also a product of an education which respects and promotes minority rights, and which also fosters intercultural understanding and equitable minority and majority relations.

Alan Phillips
Director
May 1994

1: STATE EDUCATION AND MINORITY RIGHTS

by Crispin Jones

Educational rights for minority groups may be included in states' education systems and also enshrined in their statutes. However, states' laws, their declarations and their educational systems are largely normative statements. For many minority groups, the key issue is whether educational *practice* actually realizes those legal obligations and aspirations and provides a full, effective and fulfilling education for their young people.

Before we consider, though, what is actually happening in the field of minority education, it is necessary to investigate how minorities are defined in relation to education and whether they should have special educational rights at all. Traditionally, discussions about such educational rights have been similar to those about the aims of education in general. There has always been, for example, a seeming conflict between individual and group aspirations and also between such aspirations and the needs of the state to have an education service which will provide a skilled, united and law-abiding citizenry. Whatever the rhetoric, many states are quite explicit in giving the primary objective of their education system as the promotion of national unity and/or economic development. The encyclopedic three-volume *International Handbook of Educational Systems* demonstrates the bewildering range of educational objectives that states adopt,[1] although the majority assert the primacy of economic or integrative aims. To take just two examples from Volume 3, Bangladesh stresses the need to make education consistent with manufacturing processes, while Brazil similarly asserts that it is a national investment from which economic and developmental benefits are expected to be derived.[2] The needs of the minority groups in these two countries are clearly not to the forefront of government thinking in relation to education. Even where specific reference is made to the educational rights of minorities, it is still the state which defines both who the minorities are and what educational rights they may have.

Human rights in general (including educational ones), and minority rights in particular, are enshrined in such international declarations as those produced under the auspices of the United Nations and the Council of Europe. Yet it is important to trace where such ideas have come from, given the unifying preoccupations of many modern states. One obvious source is the key documents of the French and American revolutions at the end of the eighteenth century.[3] Many important concepts relating to human rights derive from this era but one in particular is interesting here: the relationship between state and citizenry. The politicians and political philosophers of that time failed to resolve the extent of state power over groups and individuals and, as a result, this debate bedevilled both France and the USA's subsequent history.[4] In particular, both countries had particular difficulties defining the exact status of stigmatized minority groups within their new states, most noticeably black slaves in the USA, and Jews (and also black slaves) in France. At this time too, the rights of children remained obscure since the significant changes in the social construction of childhood, brought about by the writings of such romantic philosophers as Rousseau, were still very recent.

Today, but still within that Rousseauesque paradigm, the 1989 UN Convention on the Rights of the Child provides an internationally agreed set of principles that give children not just the right to survival but also to protection and personal development free from discrimination.[5] Thus, *de jure* if not *de facto*, most states formally agree that all children, including the children of minorities, should have educational rights provided by the state.

The dangers of definition

What is a minority? The answer to this question often depends on whether it is being asked by an academic or a politician. For example, by denying the existence of a minority, or by defining it in such a way as to diminish or change its status, a state can deny rights to that minority. It can argue that it need not make special provision for those who do not officially exist and, once it has redefined or divided a minority to suit its perceptions, the state can then claim that no educational rights are being refused, save those refused to any other of its citizens. Such practices are well established throughout the world, as many of the reports published by Minority Rights Group (MRG) show.[6]

However, it is important to stress that most states *do* recognize many of the minorities residing within their territory. The real issue for education is whether the recognition of a minority's existence by the state gives rise to both educational rights and also subsequent appropriate educational practice, both of which have the approval of the minority concerned. This is because, as was stated at the beginning of this chapter, outlining a concern for minority rights in education does not necessarily ensure that such rights actually exist.

'Minority' is obviously, at one level, a term that is in contradistinction to that of 'majority'. Yet that distinction also raises problems. If the majority/minority distinction is being made on numerical grounds, then the poor and women, although discriminated against in their daily lives, are not minorities (since they are numerical majorities). If it is made in terms of access to economic, political and educational power, then some minorities, such as the rich, are very powerful. Sometimes, other types of minorities can be powerful in other ways, although such power is often disputed. A stigmatized minority, denied access to traditional sources of social mobility, may concentrate on those areas of life where the barriers are lower, frequently using education as the ladder to surmount the barrier.[7] The point of this seemingly casuistic argument is to show that the term is more complicated than it often first appears.

If dominant groups define minorities, they will compile a list very different from that compiled by groups defining themselves. In practice, most societies and international organisations, like the EC and the UN, define minorities in both ways, along a continuum of control:

STATE DEFINITIONS << ___ >> GROUP DEFINITIONS

Thus the definitions will differ from state to state and the defining process *within* the state will differ according to specific circumstances, usually relating to the state's perception of the political power of the groups under discussion. Even the definitions upheld by international organisations are subject to similar forces and these perceptions will also change over time, leading to further redefinition.

The most common result of such a process is the definition of a minority in terms of a particular socio-economic attribute or set of such attributes. The most usual of these are detailed in Figure 1.

As Figure 1 demonstrates, there are many different categories of minorities and people can classify themselves (or may be classified by others) in more than one of these categories. The point here is that to see a minority group solely as, say, an *ethnic* minority may be too narrow a perspective since who is making that definition is also important. We can define ourselves, and the groups to which we belong, in terms of language, history, culture, religion and so forth, but others may define us in different ways. They may only see our religious affiliations or our skin colour and define us in terms that suit *their* prejudices and stereotypes rather than *our* sense of ourselves and our group. This latter point is all-important in education, as it is often a minority, the economically and politically powerful, who define the nature of the education that the state is to provide its future citizens.

FIGURE 1 **The differentiation of minorities**

i. **Economic**

The rich in any state are a minority, but seldom one for whom concern is expressed in the terms of this report.

ii. **Disability**

People with disabilities are often stigmatized, particularly in education.

iii. **Religion**

Religious minorities have often been persecuted, and continue to be so.

iv. **Language**

Linguistic minorities frequently have their language rights ignored by dominant linguistic groups.

v. **Nationality**

By this is meant a group that sees itself as a distinct people or nation *within* a larger state, with long-established historical claims to territory within that state.

vi. **Refugees and asylum-seekers**

These minorities, unlike the others, do not so much make legal claims upon the state they have fled to, although of course they have them, but mainly appeal to larger international organizations for their limited minority rights.

vii. **'Race'**

A meaningless term in science but describing a public perception.

viii. **Ethnicity**

Something of a catch-all concept, meaning a group that sees itself and/or is seen by others as being distinctive within the state, by having certain attributes in common such as history, culture, language, religion and so forth.

Differentiation

It is worth emphasizing that all states maintain differentiated education systems. Such differentiation is an important manifestation of a state's response to, amongst other things, multiculturalism and the demands of all types of minorities amongst its citizenry. A key element in this differentiation is the degree of either separation or segregation that the state allows within its education system. By separation is meant that minorities choose or have access to an appropriate form of education for their young people and by segregation is meant that the state decides on the appropriate form, with or without the consent of the minorities concerned. This can be made clearer if we examine some of the models of differentiation that an education system can adopt, either in total or in part. As Figure 2 indicates, such differentiation can be bewildering in terms of both number and type.

The range of potential differentiation is clearly very large indeed. However, it is worth raising three issues which arise from Figure 2. The first is that all education systems differentiate. Whether this is good or bad is beside the point: no system has, in practice, been able to avoid it. The second is that when differentiation (either through separat[illegible] segregation) is forced upon minorities, educatic[illegible]qualities are a very likely consequence. Ed[illegible]paration can have its pitfalls. Also, although in [illegible] desirable, minorities insisting upon a self-[illegible] form of educational segregation can, in some specific cases, lead also to undesirable educational outcomes. However, a true intercultural[8] education system would, in general, favour a system based upon minorities' rights to forms of schooling they find appropriate to their needs.

All state education systems have to face the same dilemma: if they accept separation, the unity of the state may be threatened; if they enforce segregation, the unity of the state may also be threatened. There is no simple answer and each state usually attempts to resolve the issue in ways which best secure its stability rather than the needs of the minorities concerned. Moreover, the issue cannot now be considered merely at state level since regional groupings have become a global issue. For example, if Russia is in Europe, should all members of the entire Russian Federation be treated as European? In other words, people's multiple identities may include a regional or continental strand as well as a national, state one. Such identities may give rise to further stereotypes and xenophobias such as have been seen in recent events in the former Yugoslavia where the idea of European Islam continues to be contested. Similarly, the border between the USA and Mexico arbitrarily divides ethnically similar peo-

FIGURE 2 **Types of differentiation of education systems**

Types of differentiation		*Examples*
i.	**By wealth**	State or private educational institutions.
ii.	**By attainment**	Elite educational institutions, e.g. grammar schools, lycées, gymnasiums, etc.
iii.	**By gender**	Male and female.
iv.	**By behaviour**	Separate educational institutions for students seen as disruptive, disturbed, etc.
v.	**By disability/ special educational need**	Special educational institutions for students with disabilities that make it inappropriate, in the view of the education authorities, for the student to be within mainstream educational institutions.
vi.	**By location**	Educational institutions in prosperous or poor, rural or urban areas.
vii.	**By attendance**	Boarding/residential or day institutions, part-time or full-time, daytime or evening.
viii.	**By religion**	Religious educational institutions/secular educational institutions. Also, different educational institutions for different religions within the one system.
ix.	**By language**	Educational institutions using one national language and others within the same system using another national language or other languages.
x.	**By curricula**	Educational institutions with an agricultural, technical or other vocational specialism.
xi.	**By nationality**	Although often seen in terms of religion and/or language, this category could apply to those educational institutions set up to educate refugee and asylum-seeking students apart from the mainstream state system.
xii.	**By age**	Compulsory, and not compulsory: adult and continuing education, education for the elderly.
xiii.	**By contact**	Classroom or correspondence/radio/TV, etc.
xiv.	**By race**	Segregated educational institutions, both *de facto* and *de jure*.

ples into majority/minority status and thus has a geopolitical significance which continues to bedevil relationships between the two states. The ties between the Muslim and the Arab world, between both those groups and Africa, Europe and the Middle East seem clear on the surface but are immensely complicated if subjected to any close examination. What this means is that the educational rights of minorities are by no means just the concern of individual states, but often have significant regional aspects.

The third issue arising from differentiation is that although majorities running educational systems often treat minorities as if they were a homogenous group, minorities are themselves internally differentiated, segregated and separated, in education as in socio-economic life generally. This, in itself, brings to the fore the relationship between individual human rights and minority group rights and, as the 1993 Vienna meeting of the UN Committee on Human Rights indicated, there is no agreement about the nature of the fundamental human rights on which, ultimately, minority group rights are predicated. The problem is that without such agreement, the educational rights of minority groups are likely to become more difficult to assert rather than easier, as was perhaps hoped for at the beginning of the decade.

2: INTERNATIONAL STANDARDS

by Patrick Thornberry

Education and Minority Rights

The importance to minorities of the transmission of their values and world view through education has long been recognized in international standards. Before the installation of human rights as a universal concept of law through the United Nations (UN) Charter, the minorities treaties of the League of Nations made explicit provision for education. The Polish Minorities Treaty (1919), which served as a model for the range of League instruments, provided in Article 8 that:

> *Polish nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as other Polish nationals. In particular, they shall have an equal right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.*[1]

This was complemented by Article 9 which provided for public primary school education in the minority language. The provisions were summarized in a leading commentary:

> *The educational rights granted...were of even greater importance to minorities than the right to use their language for official purposes. Under the treaties, they were entitled to primary schools in certain specified instances and to private schools without limitation. The essential feature of such schools was the use of minority languages as the medium of instruction. The State could demand that the official language be studied, but it could not require that certain subjects be taught only in that language.*[2]

The treaties evidence a view of language as an integral part of minority identity and also concentrate on the linguistic medium of education. The content of minority education is not explicitly addressed although the treaties interrelate education with rights of organization and autonomy. These rights were violated in practice[3] but the inclusion of an educational component in minority rights set a precedent which should be followed by any normative system claiming to respect them.

The human right to education

The early post-war period saw the replacement of minority rights by general human rights. The period was marked by a degree of 'official' government hostility towards minority rights. It was widely asserted that rights for particular groups were outdated in the new world order of universal, individual human rights. The 'reinstatement' of specific minority rights as part of the total concept of human rights came later.[4] The Universal Declaration of Human Rights (1948) does not refer to minorities but offers individual rights on the basis of non-discrimination. On education, Article 26 of the Universal Declaration provides:

1. *Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.*
2. *Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.*
3. *Parents have a prior right to choose the kind of education that shall be given to their children.*

The general human right to education implies duties on the state, and, like all other rights in the Declaration, it must be accorded 'without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status'.[5] The formula means that members of minorities have the same right to education as everyone else in society and must not be disadvantaged in this respect. There is a difference from the League formula in that no linguistic medium of education is specified. On the other hand, Article 26 mandates a content and purpose for education which is of considerable importance for minorities in its encouragement of mutual understanding, tolerance and friendship between nations, religions and races. This approach to the value of education reflects an intercultural rather than a cultural identity perspective and may lead to assumptions that cultures can look after themselves, secure in their own value systems.[6] For threatened groups, norms promoting mutuality of respect need the additional strength of minority-specific norms to ground the validity of particular cultures through educational and other means.

In terms of contemporary treaty law, Article 13 of the Covenant on Economic, Social and Cultural Rights (1966) is the primary expression of the general right to education. In essence, Article 13 reiterates the substance of Article 26 of the Universal Declaration, adding to Article 26.2, on the purpose of education that 'education shall enable all persons to participate effectively in a free society...' Article 13 also refers to the liberty of parents etc. to choose schools, other than those established by the public authorities, which ensure the religious and moral education of (their) children in accordance with their own convictions. Article 13.4, respects the liberty of 'individuals and bodies' to establish and direct educational institutions subject to the rule that such institutions must conform to minimum standards laid down by the state.

The implementation of rights in the Covenant on Economic, Social and Cultural Rights follows a different pattern from those in the Covenant on Civil and Political Rights (see p. 11), which in essence requires them to be implemented immediately. Whereas the obligation in the latter case is to 'respect and ensure'[7] the rights, in the former it is incumbent on the state party 'to take steps, individually and through international assistance and co-operation...to the maximum of its available resources,

with a view to achieving progressively the full realization of the rights...'[8] For some states, this may carry the implication that the implementation of rights can be deferred indefinitely, a reading which is rejected by the Committee on Economic, Social and Cultural Rights. The Committee has developed a methodology which insists that the obligation to 'take steps' is serious and that poverty of states is not an absolute excuse for inaction since diligent governments should solicit resources from the international community.[9] The Vienna Declaration and Programme of Action of the World Conference on Human Rights effectively restated the equal importance of economic, social and cultural rights, including the right to education:

> *All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis.*[10]

The humanizing purpose of education is also referred to in paragraph 33 of the Declaration.

The UN Convention on the Rights of the Child (1989) deals with education in Articles 28 and 29. The Convention reiterates much of the substance of previous instruments, but there are some important allusions to identity and culture. Article 29 suggests that education should be directed to:

> *(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own.*
>
> *(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.*

In this general statement on the education of the child, the text balances respect for intrinsic minority values and those of the national community as a whole. The purpose of education is cosmopolitan and particular: human beings can be and are simultaneously members of a particular ethnic group, members or citizens of a nation or state, and members of a global community.

The European Convention on Human Rights and Fundamental Freedoms (1950) refers to the right to education in Article 2 of Protocol 1:

> *No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own reli s and philosophical convictions.*

In the case of Kjeldsen, Busk Madsen and Pedersen v Denmark,[11] the European Court of Human Rights emphasized the important role played by education in a democratic society, observing that the protocol 'aims... at safeguarding the possibility of pluralism in education... essential for the preservation of the "democratic society" as conceived by the Convention...' This implies that the State must take care that information or knowledge included in the curriculum is conveyed in an objective, critical and pluralistic manner. The State is forbidden to pursue an aim of indoctrination that might not be considered as respecting parents' religious and philosophical convictions.

The European Convention has no specific message on the rights of minorities in education, or other aspects of minority rights, beyond a commitment to the principle of non-discrimination reflected in the Belgian Linguistics Case[12] and to 'pluralism' in the education process. Attempts to remedy this lack of reference through extension of the Convention in the direction of minority rights have not so far succeeded.[13]

Instruments making specific reference to minorities

The key treaty reference to minority rights in contemporary international law is Article 27 of the Covenant on Civil and Political Rights (1966):

> *In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.*

Article 27 does not contain a definition of minorities, and overall, it expresses a certain nervousness about the existence of minorities in its opening, tentative phrase which almost invites states to claim that they have no such groups on their territory. Despite its limitations, Article 27 and the minority-specific instruments cited below underline the validity of the minority concept in general international law.

The meaning of the Article for minority education is not very clear. The 'case-law' of the Human Rights Committee has dealt with many aspects of Article 27, including the use of minority languages in commercial speech and before the courts, the relationship between traditional economic activities and culture, rights to residence, etc.[14] None of the 'cases' has focused specifically on the education process. On the other hand, the Committee has for many years asked questions to reporting governments on minority education, implying that, in the Committee's view, education is covered by the general wording of Article 27.[15] This is logically the case in view of the commitment to minority survival expressed in the Article and the intrinsic relationship between cultural development and education. Further, despite the negative wording – 'shall not be denied' – a number of commentators have expressed the view that mere abstention on the part of the state is not an adequate rendering of the right under Article 27 so that positive action, including special minority education measures, may be required.[16]

The UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992)[17] extends the meaning of Article 27. Article 4.3. provides that:

States should take appropriate measures so that, wherever possible, persons belonging to minorities have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

This provision is unsatisfactory in that it offers study *of* the minority language and study *in* the language as alternatives, and qualifies this with reference to 'wherever possible'. However, the appropriateness of measures is something that can be argued for and must be conditioned by the overall aim expressed by Article 1 of the Declaration – to promote the continued existence and flourishing of minority cultures. Article 4.5, makes specific reference to education:

States should, where appropriate, take measures in the field of education in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

This paragraph relates to measures to be taken by the state rather than the rights of members of minorities. Measures would be 'appropriate' in most cases in order to promote knowledge among society at large of the minorities in their midst. The paragraph should impact on the content of school curricula. Reciprocally, minorities should be acquainted in their education with the larger society and not lapse into ethnic fundamentalism: this also has relevance to educational curricula.[18] The importance of the UN Declaration should not be underestimated. Although it is not a treaty, the Declaration expresses global minimum standards for the protection and promotion of minority rights and will affect the content and design of UN programmes on minorities for the foreseeable future. The Declaration goes some way towards remedying the early postwar neglect of the minorities issue.

In the UNESCO Convention Against Discrimination in Education (1960), minorities are specifically referred to in Article 5 (c) , whereby the states parties agree that:

It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language, provided however:

(i) That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty;...

(iii) That attendance at such schools is optional.

As at June 1993, 81 states were parties to this Convention.[19] The provision on minority education has strong and weak features. While the 'essential' nature of the right is highlighted, as well as the important link between education and language and the need for minorities to understand 'the community as a whole', the provision is full of qualifications. The connection between minority education and 'national sovereignty' is particularly inappropriate in its context. The clear distancing of the state from support for minority schools is too sharp in the light of post-1960 developments, including UNESCO's 1978 Declaration on Race and Racial Prejudice,[20] which *respects* the right to be different and enjoins states, *inter alia*, to make:

...the resources of the educational system available to all groups of the population without racial restriction or discrimination; and [take] appropriate steps to remedy the handicaps from which... groups suffer with regard to their level of education and standard of living and in particular to prevent such handicaps being passed on to children.

UNESCO's current focus on minorities should lead to some reconsideration of the assumptions of the 1960 Convention in line with many other world bodies such as the International Labour Organisation (ILO) and the World Bank[21] which have moved to reassessments of earlier priorities on 'ethnic' issues.

The various texts of the Conference on Security and Co-Operation in Europe (CSCE) process[22] have inscribed the importance of minority education rights. In the initiating Helsinki Final Act (1975) there is an extensive section on 'Co-operation and Exchanges in the Field of Education', which contains the following paragraph on minorities:

The participating States, recognizing the contribution that national minorities or regional cultures can make to co-operation among them in various fields of education, intend, when such minorities or cultures exist within their territory, to facilitate this contribution, taking into account the legitimate interests of their members.

The Copenhagen Declaration of the Conference of the Human Dimension (1990) introduces minority rights by a general statement on the right of persons belonging to minorities to 'express, develop and preserve' their identity, providing further that such persons have the right:

...to establish and maintain their own educational, cultural and religious institutions, organizations or associations, which can seek voluntary financial and other contributions as well as public assistance in conformity with national legislation.

The CSCE Meeting of Experts on National Minorities (1991) noted that 'positive results' had been achieved by some states by:

...provision of adequate types and levels of education in their [members of minorities'] mother tongue with due regard to the number, geographic settlement patterns and cultural traditions of national minorities;

funding the teaching of minority languages to the general public, as well as the inclusion of minority languages in teacher-training institutions...

provision of financial and technical assistance to persons belonging to minorities who...wish to exercise their right to establish and maintain their own educational, cultural and religious institutions, organizations and associations.

Finally, it may be observed that in the related field of indigenous peoples, there are extensive references to education with many valuable insights into the desiderata of education for groups other than indigenous ones. Taking only the major contemporary treaty on indigenous peoples, *ILO Convention No. 169 (1989)*, there is a special section (Part VI) devoted to 'Education and Means of Communication' which incorporates six articles, 26 to 31. Notable provisions include Article 27.1.:

> *Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them to address their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations.*

Own institutions are referred to in Article 27.3., whereby governments are pledged to 'recognize the right of... (indigenous)...peoples to establish their own educational institutions and facilities...' The language element is also prominent in Article 28:

1. *Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong...*
2. *Adequate measures shall be taken to ensure that these peoples have the opportunity to attain fluency in their national language or in one of the official languages of the country.*

Article 31 is also significant:

> *Education measures shall be taken among all sections of the national community, and particularly among those that are in most direct contact with the peoples concerned, with the object of eliminating prejudices that they may harbour in respect of these peoples. To this end, efforts shall be made to ensure that history textbooks and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these peoples.*

Articles 15 and 16 of the draft *Universal Declaration of the Rights of Indigenous Peoples* develop similar principles for indigenous peoples living inside and outside traditional indigenous communities.[23]

Some general observations

International law recognizes that education is a general human right and also a crucial part of minority rights. The commitment to the general right is expressed in a broader range of treaty law than the specific minority right. Education for minorities is dealt with more fully in instruments of 'soft law', in resolutions of the General Assembly of the United Nations and the instruments of the CSCE process. There is, therefore, scope for development of 'hard law' aspects of minority education rights, though the prospect of a general treaty on minority rights is remote. The ensemble of instruments, however, is multifaceted and many of the concerns of minorities are taken care of by one instrument or another. The minimum or fundamental principle of international law is the protection of the existence and identity of minorities and the provision of conditions for the promotion of that identity. The details on education may be related to that basic and open-ended standard which requires constant attention on the part of states and represents a programme of action which is always unfinished. It is possible to suggest certain principles to inform the body of instruments as a whole:

1. *Minorities should participate in general programmes of resourced education to the same extent as other citizens of the state. The principles of non-discrimination and equal rights are prominent in this assessment.*
2. *Minorities have special claims which also reflect the idea of equality since they are often in a vulnerable position in relation to more powerful groups in society.*
3. *The minority rights to existence and identity presuppose an educational component.*
4. *An appropriate education regime in this context ideally implies minority education in their own language and education about their culture; it also implies reaching out to knowledge of the wider society and that the society should respect and understand the contribution of minorities to national culture. The education process should therefore be directed to human rights in their fullest sense.*

3: THE PREREQUISITES OF EDUCATION

by Chaloka Beyani

Human rights standards in international law broadly encapsulate the right of everyone to education,[1] and education for minorities is generally included in this context. However, the extent to which the right to education may be exercised and enjoyed by minorities and others depends upon certain political, economic, and social conditions which obtain in states.

Two of the important conditions which affect the ability of states to provide education (and specifically to minorities and refugees) are, first, the availability of economic resources and, secondly, the absence of violence. Economic resources available to states, and the existence of a peaceful atmosphere conducive to education, pre-determine the secondary issues of language, religion, and curriculum, which are discussed in Chapters 4, 5 and 6 of this report.

Although many governments face political and economic constraints in their struggle to provide education for all, the special position of minorities and refugees under international law entitles them to special measures or exceptional treatment in the field of education. Thus, the second section of this chapter examines the lack of resources for education, the impact of structural adjustment policies on the provision of education, and the extent to which persons belonging to minorities are to be found among the most disadvantaged groups. The third section discusses the effect that civil strife and armed conflict can have on minorities and the education of school-age children. The fourth section concludes with a case study from Malawi, in order to highlight certain approaches to the problem of providing education to refugees.

Economic resources for education

The provision of education requires, amongst other factors, school buildings, teaching and administrative personnel, and appropriate teaching materials. There is also a necessity for physical and social infrastructure, such as roads, which make schools accessible, the maintenance of an environment conducive to education, and the running of educational administrative systems. All of these are dependent upon economic resources at the disposal of a state.

Moreover, education needs to be provided continuously at various levels. These are often classified as pre-primary, primary, secondary and tertiary, with each level requiring certain types of resources. Educational expenditure is normally designed to cover the provision, management, inspection and support of pre-primary, primary and secondary schools, universities and colleges, vocational, technical and other training institutions.[2]

The *Human Development Report* prepared by the United Nations Development Programme (UNDP) in 1991 shows that the current level of educational and social expenditure by states is inadequate for meeting contemporary educational needs in the world. About a billion adults cannot read or write – and well over 100 million children of primary school age are not in school.[3] Further, imbalance in the provision of education exists between industrialized countries on the one hand, and developing countries on the other. On average, the number of years of free full-time compulsory education in the industrialized countries was nine in 1989, while the average total expenditure in the same countries in 1986 was 6 per cent of their Gross Domestic Product.[4] This expenditure represents an average growth of only 2 per cent of total education expenditure from 1960 to 1986 in the industrialized countries.[5]

By contrast, the average number of years spent in compulsory or free education in all developing countries was 7 in 1988.[6] In terms of Gross Domestic Product, the average total expenditure on education in developing countries was 2.2 per cent in 1960 and 3.7 per cent in 1986. This represents an increase of only 1.5 per cent in the average expenditure on education in developing countries from 1960 to 1986. However, between 1987 and 1988, the average public expenditure on education for developing countries was 15.2 per cent of the total public expenditure.[7]

The figures above are general indicators of the level of resources devoted to education by both developing and industrialized countries. Disparity exists between industrialized and developing countries in the amount of resources consigned to the provision of education at all levels, including compulsory education. This discrepancy is mainly explicable by the lack of economic resources on the part of developing countries. However, there is a gap of only 0.5 per cent in the average growth of educational expenditure between the industrialized and developing countries from 1960 to 1986. This indicates that, in general, the resources devoted to education are considerably lower when compared against the total public expenditure of both industrialized and developing countries.

A matter of immediate concern is the trend of continuing decline in financial support for education.[8] This trend is most evident in developing countries where the average educational expenditure dropped to 11.9 per cent of the total public expenditure from 1988 to 1990.[9]

The capacity of developing countries to provide education has been particularly adversely affected by the policy of structural adjustment. By this policy, the terms of economic assistance to countries in Africa, Asia, Eastern Europe and Russia require them to adjust the structure of their public-monopoly-based economies to private enterprises.[10] It entails a general freeze on wages and the abolition of price and foreign exchange controls in favour of free enterprise, with market forces as the economic determining factor.

More significantly, structural adjustment envisages the withdrawal of state involvement in economic management and provision of social services, including education. As such, the provision of education in developing countries has been hit hard by the removal of state subsidies in public and social expenditure. Education fees, the cost of other social services such as health and transport, and prices for consumer goods, have consequently risen beyond affordable levels for most ordinary people as well as for minorities.

The impact of structural adjustment on education provision varies and cannot be assessed with precision. However, a survey conducted by the UNDP serves as a useful indicator.[11] Zimbabwe, for example, made enormous progress in providing primary and secondary school education shortly after independence in the 1980s and, during the period of economic adjustment, school enrolment ratios continued to grow. In Tanzania, on the other hand, significant deprivation exists, with nearly half the children not attending primary school. Enrolment ratios dropped in the late 1980s and secondary school enrolment rates are now less than 5 per cent.[12]

Even though the international economic climate favours the withdrawal of state subsidies in social services, it is useful to note that some developing countries are still able to provide free education at various levels. For example, primary education in the Republic of Korea and in Nepal is provided freely and, in the Philippines, secondary education has been free since 1988. In Mauritius, education is free at all levels.[13]

In general terms, the impact of structural adjustment on education can have hidden problems:

> *Even when services are officially free, they can take [put] a considerable financial burden onto poor families. Teachers' salaries are so low in some countries that parents may have to top them up through contributions to the teachers' transport or food, if students are to see their teachers at all.*[14]

In addition, even where states continue to provide public education, the burden of costs is increasingly being transferred to families, not only by the imposition of fees, but also by increased demands for payments for books and school materials as well as for payments towards 'school building funds', maintenance and other costs which can discourage poor families from keeping their children at school.

Structural adjustment, in essence, seems to detract from the obligations of states to provide economic, social and cultural rights. It questions the assumption that the provision of social services is the responsibility of government and sets a trend towards greater involvement of private organizations in providing social services. Non-governmental organizations (NGOs) are increasingly becoming involved, even at primary level, and the price of their involvement is that education is no longer free. The Bangladesh Rural Advancement Committee schools in Bangladesh, for example, provide primary education annually for a fee of $15 per pupil, which may be very costly in local currency.

The danger posed by structural adjustment lies in the gradual erosion of the social fabric of society to the point of neglecting or destroying the development of human resources. Clearly, education should be a long-term high-priority investment because it develops human resources as an asset in the process of development.

Notwithstanding the pitfalls of structural adjustment, the obligations of states to provide education are usually qualified to the extent that resources are available.[15] This qualification has been interpreted as referring to the amount of resources that are available to the international community as a whole and that can be distributed through international co-operation and assistance.[16] This suggests that the responsibility to provide education in the context of economic, social and cultural rights extends beyond that of individual states and that economic and resource limitations of individual states may be overcome by joint efforts and a pooling of joint resources at the international level.

As seen in Chapter 2, states are obliged by international instruments to 'take steps' to provide education,[17] to prioritise their use of resources and to be clear that particular types of education need specific resources. Compulsory basic education should also be provided freely and a significant proportion of economic and social resources, whether local or international, is required to be targeted specifically to meet this objective. The need to provide quality education aimed at enhancing the dignity of people, including minorities, is clearly inherent in the right to education.

There is also a broader educational objective which underlies the responsibility of states to commit resources to education for all (and for minorities) in international law:

> *Education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.*[18]

Although not used exclusively in relation to minorities, the reference to racial, ethnic, or religious groups in this provision is sufficiently broad to include minorities. Implicit within it is the allocation of resources for the treatment of minorities within an educational system and, linked to this, within international law, is the protection of minorities in general. (Arguably, such protection was better and stronger under the Covenant of the League of Nations and its regime of minorities treaties.)

As was shown in Chapter 2, the Covenant on Economic, Social and Cultural Rights (1966) provided for everyone to have the right to an education. From this perspective, it is obvious that minorities are entitled to access to education and educational resources on the same basis as everyone else in the population. The lack of adequate resources by itself, therefore, is not a ground for not providing education to minorities.

However, minorities have special needs attributed to their distinct characteristics (such as linguistic, religious, cultural or ethnic). Such needs attract the application of justified differential treatment and this requires resources of a specific type. For example, where the desired medium and mode of instruction follows the language and culture of a certain minority, people from that minority group may have to be trained as teachers. Accessible schools may also have to be provided in the more outlying areas where marginalized minorities often live.

A combination of formal equality and equality of treatment does not always mean, though, that additional resources have to be found for the education of minorities. Rather, it means that their special needs have to be met within existing economic resources, except where a

minority is also a disadvantaged group entitled to special measures of protection. In this respect, the universal approach to human rights is very useful in advancing the economic, social or educational cause of minorities, in spite of its lack of categorical focus on the protection of minorities. This is because, since 1945, those international legal instruments which are applicable to minorities have placed a certain degree of emphasis on special measures, as a general principle of positive equality for the assistance of disadvantaged groups.[19] Such positive measures may take the form of social expenditure targeted at providing education tailored to the protection or conservation of the linguistic, cultural, and ethnic identity of a minority.

The difference between a minority and a disadvantaged group has certain legal consequences. By definition, special measures are intended to be compensatory in order to achieve equality in fact; they are temporary in character, and must be discontinued when such equality is attained.[20] Special measures can thus be aimed at the education of underdeveloped minorities and entail the provision of preferential resources, such as crash programmes, to accelerate their level of education to that of the rest of the community. When this *de facto* equality is attained, special education programmes and resources must be terminated, but the real difficulty lies in determining the point of termination.[21]

Special measures in support of disadvantaged groups can be viewed as complementing the ordinary protection given to minorities in international law. The provision of positive measures aimed at ensuring that minorities are equal in fact to the rest of the population are applicable on a continuous basis as a general principle for the protection of minorities.[22] This implies the continuous provision of education which: (a) places a minority in a position of true equality with the ambient population, and (b) ensures the preservation of their identity and character.

Civil strife and international wars

Minority groups' claims for protection can raise incidental political difficulties within a society. Failure to resolve such difficulties can lead to various forms of violence, ranging from public disorder and civil strife to armed conflict of an internal or international nature. Violence is an extreme form of exclusion and discrimination against minorities, with the consequence that persons belonging to minorities are usually to be found amongst those affected by violence. Both the First and Second World Wars, for example, began over the question of the protection of minorities in Europe and it has been estimated that, since then, forty ethnic groups around the world have been persecuted or massacred, suffering millions of deaths.[23] Current conflicts in the former Yugoslavia, and between Armenia and Azerbaijan, in southern Sudan and in Rwanda and Burundi all involve minorities.

Armed struggles and civil strife effectively disrupt the normal patterns of life for both minorities and majorities. The impact is severe on school children because schools within areas of conflict are often objects of attack. An example is the destruction of primary schools in the surrounding areas of the town of Villa Ulongwe[24] in Northern Mozambique by Renamo insurgents in their war against the Mozambican government:

> *The targeted destruction of schools and attacks on teachers by Renamo combines with budget constraints stipulated by structural adjustment to prevent adequate services within the country, whilst for the refugees the funding crisis within the UNHCR and the general lack of fashion with donors for education means that, except for Zambia, most children are not attending even primary school, and even there attendance is declining.*[25]

Apart from the destruction of schools, children of school age can be victims of conscription. Reports of such conscription in 1990 during Ethiopia's internal conflict, for example, are well documented.[26] In Mozambique, Save the Children workers traced many children detained by Renamo in its camps without any provision for education.[27]

As a result of ethnic-related conflicts, large numbers of minority peoples are now seeking safety in foreign countries as refugees. The fact that refugees are usually of a different ethnic, linguistic and cultural identity from the population of a host state generally makes them 'minorities' in their countries of asylum, even if they do not belong to minorities in their countries of origin. Refugees and minorities have special needs and special claims to protection. These needs and claims coincide when people belonging to a minority are also refugees, and when refugees constitute a minority in the receiving state.

States often deny responsibility for extending to refugees and minority non-nationals a special education which is suited to their needs and way of life. Education for refugees comes under the aegis of international standards for the protection of refugees,[28] which means that the latter are accorded the same right as nationals of the host state with respect to elementary education, and the same right as aliens (non-nationals) to other types of education.

In effect, elementary (primary) education is as compulsory for refugees as it is for nationals. The principle of compulsory primary education for refugees must therefore be seen as an exception to the concession granted (in Article 2(3)) to developing countries to determine the extent to which they will extend to non-citizens the rights accruing under the Covenant on Economic, Social and Cultural Rights.[29] Provision of other forms of education to refugees, however, would seem to fall within the ambit of this concession, although it is arguable that claims of refugees in this respect differ from those of ordinary aliens.

Studies conducted in southern Africa show that, in reality, education provided to refugees is not, in some cases such as Swaziland, tailored to their actual needs because it does not prepare them either for employment and/or their return.[30] It has been noted that pre-school refugee education in Malawi, Zambia and Zimbabwe, and primary education for refugees in Zambia and Zimbabwe, is inadequate due principally to an insufficient provision of trained teachers, materials and buildings.

Malawi refugee education project: a case study [31]

In the mid-1980s, Malawi established an education project specifically for refugees under the auspices of the Ministry of Education and Culture. At least 100 primary

schools were erected in districts hosting refugee children. From its inception, the refugee education programme aimed at providing education to Mozambican refugee children using the Mozambican education syllabus taught by Mozambican refugees in the local Mozambican language and Portuguese, the official language of Mozambique. This strategy was motivated by the need to make easier the reintegration of Mozambican pupils into the educational system of their home country upon their return.

Four hundred and fifty-six classrooms were built and 1,600 teachers trained from the refugee community. At the same time, already-trained teachers from Mozambique, who were amongst the refugee population, were used in the programme. Some of these offered teaching materials, as did parents and the government of Mozambique. Refresher courses were conducted for refugee school teachers in 1989 and 1990 and further residential training courses, in which 320 refugee teachers participated, were held between 1991 and 1993. It is estimated that, by November 1992, 1,605 teachers were teaching some 139,000 Mozambican refugee children in primary schools in 12 districts.

Malawi's education project is an example of the structured use of resources obtained from international assistance, through NGOs, for the purpose of education. Concern Universal, for example, supported literacy activities and made uniforms for pupils in Dedza and Ntcheu districts. Otto Bennecke Stiftung offered scholarships for teacher training and vocational training programmes. The Association of Preschool Playgroups in Malawi took responsibility for training preschool leaders and for managing all playgroups in refugee settlements. Save the Children Federation (US) provided vocational training and ran a project for traumatized children in Mangochi district, and was engaged in tracing unaccompanied refugee children in all districts of Malawi.

This project shows the use of targeted resources to provide education to refugee children at primary level. However, excellent though it has been, 100 schools are inadequate for meeting the education needs of Malawi's refugee children.[8] No meaningful secondary-school education for refugees has been provided, except for eight open-learning units (admitting some 600 pupils) which were administered by the Jesuit Refugee Services.

4: LANGUAGE AND EDUCATION

by Crispin Jones and Rachel Warner

Education, and the extent to which an education system develops minority languages, is crucial for minorities. If members of minority groups are not able to learn their language either through formal schooling or community-organized language classes, then they lose not only their language but part of their identity, and also their links with other members of their group. For minorities, their language transmits their cultural norms and values and it emphasizes their group feelings as well as excludes those who do not belong.

Minority languages, however, are disappearing at a seemingly ever-increasing rate. For example, the European colonization of Australia has resulted in the demise of most of the Aboriginal languages. Even today, when many accept the importance of maintaining such languages, the decision is being taken, on the grounds of cost if nothing else, to remove governmental support from those Aboriginal languages which have only a very small number of speakers and/or only adult users.

The pattern of language loss in Australia is not unique. All over the globe, languages are disappearing, particularly if they are used by economically or politically powerless groups. Of the five thousand or so languages in existence today,[1] a mere hundred are spoken by about 95 per cent of the world's population, while the remaining 4,900 are used by only 5 per cent. It is within this latter group that language loss occurs, although this phenomenon is by no means new since languages have been disappearing for as long as records have been kept of them.

However, since the number of speakers of some languages (such as English and Chinese) is growing, some assert that languages follow a path of linguistic Darwinism, whereby the fittest survive. To others, a more persuasive argument is that languages are part of humanity's heritage and should therefore be cherished. Professor D.P. Pattanayak, former Director of the Central Institute of Indian Languages in Mysore, south India, puts this argument elegantly in his discussion of India's linguistic map:

> *Many languages form a national mosaic. If some petals wither and fall off or some chips are displaced from the mosaic, then the lotus and the mosaic look ugly. With the death of languages, the country will be poorer.*[2]

Such a view, that language loss is a diminution of our common humanity, has powerful adherents and is increasingly being accepted by some state governments (as the adoption, in 1992, of the Council of Europe's European Charter for Regional or Minority Languages indicates). An extension of this argument is that when two or more languages are in competition, particularly when used within the same geographical, economic or cultural space, there is likely to be one 'winner' and several 'losers'. Contrary to the linguistic Darwinists view, however, such loss need not always imply decline and eventual death, a situation which has been recently exemplified during the break up of the Soviet Union. Here, there has in fact been a revival of many of the languages of the former republics, which had been declining in terms of numbers of speakers and power under the Russian-language-dominated Soviet Union. Furthermore, in the new Baltic states, Estonian, Lithuanian and Latvian are now expanding while Russian is declining (but not dying) to the level of a second or even third language.[3]

Thus, despite concern about the loss of languages, it is clear they also have great flexibility and powers of survival. Even in Western Europe, where state linguistic policies in education have often denied status and space to minority languages, they continue to survive. The seemingly monolingual UK and France, for example, have historically contained over a dozen other indigenous languages within their borders.[4] Over the last century or so, Europe has seen many hundreds of languages introduced as a consequence of the continuing migration of peoples over its borders. The linguistic diversity found within many of the major cities of Europe can be found in many urban areas across the globe.[5] For, as cities increase in size and population, so they grow in linguistic and other diversities, all of which produce considerable debates within their schooling systems. Cities like New York and London, for example, have some speech communities as large as any in the state of origin of these languages. Similarly, in Melbourne, amongst other substantial linguistic groups, there exists the largest Greek-speaking community outside Athens.

Although it is impossible to be exact, a reasonable estimate is that the 5,000 or so languages mentioned earlier jostle for position in the 200 or so states of the world. Some of these states, such as Indonesia, Brazil, India and Nigeria, are, linguistically, particularly complex. The task facing education is consequently a daunting one: how to accommodate all these languages, especially when economic or political migration merely complicates the issue still further?

Opportunities for language use

At grass-roots level, the issue is about the nature and status of bilingualism or multilingualism in the school system.[6] It might seem natural that children of minority groups should have the opportunity, or the right, to be educated in both the language of their community and the language(s) of the majority. However, in reality, the situation is very different. In most states the minority language(s) do not have equal status with the majority language(s). Majority languages have prestige and status whereas minority ones are perceived by members of the majority as inferior and of low status, unsuitable for academic work and not worth teaching.

It is important to stress that multilingualism is about *usage* rather than *competence*. In other words, a student is multilingual if s/he has to operate in more than one language at any time rather than if s/he can speak, read and write more than one language at some arbitrary level. For many minority students, multilingualism often means *speaking* (rather than writing) more than one language – most frequently, one language at home and another language (or

other languages) outside the home. Particularly, in the case of education, this frequently means a different language at home from the one used in school. All over the world, children of minority groups start school confronted with a language they do not know, or know less well than native speakers of their own age. Not only may they not understand what the teacher and the majority students are saying, but they are expected to start developing literacy in a language they are unfamiliar with.

From the perspective of the state, language is seen as one of the bonds that holds the state together. The state sees one of the most important functions of the education system as ensuring that all its young people are taught to speak and be literate in the state language or languages. Some of the arguments which states use *against* the teaching of minority languages include:

1. The cultural identity and political and social unity of a state will be promoted if everyone is educated in the same national language. Some states fear that the use of minority languages will strengthen the identity of minority groups and that this could increase moves for separatism and threaten political unity (e.g. the Basques and Catalans in Spain).

2. The cost of providing minority language teaching is prohibitive. This is a particular problem in countries with many different languages represented.

It is not in dispute that minority groups need to be taught the national language of the state in which they live, and be taught it effectively, in order to participate fully in the society in which they live. In fact, minority groups have little choice but to become multilingual if they live in a state where their mother tongue[7] is not the official language. (This is in marked contrast to the situation of the majority population who do not need to know any other languages, and only learn them if they want to.) However, there are several arguments for the importance of teaching minority languages *as well as* the majority language:

1. Teaching minority languages prevents language loss; the value of this has been outlined earlier in the chapter.

2. A child's first language is normally the best medium for learning, especially in the early stages of education, and literacy in the first language should precede literacy in the second. UNESCO stated this as early as 1953: 'It is axiomatic that the best medium for teaching a child is his (*sic*) mother tongue.'

3. The development of a child's first language through education in that language is necessary for the successful acquisition of the majority language. Mother-tongue teaching, as well as being important in its own right, actually enhances second-language learning rather than detracts from it.

4. Minority-language teaching is necessary for the development of a positive self image. If schools do not teach minority languages then minority group children may feel school is a place where their language and culture are not accepted and valued; this is then likely to make them feel their mother tongue, and by implication themselves, are inferior. In addition, minority group children often need to know their mother tongue in order to communicate effectively with grandparents and sometimes even parents. They also need it to know about their history and culture and to have a sense of who they are.

5. Teaching minority languages helps to prevent the forced linguistic and cultural assimilation of minority groups; cultural and linguistic pluralism can be seen as enriching society as a whole.

Language programmes

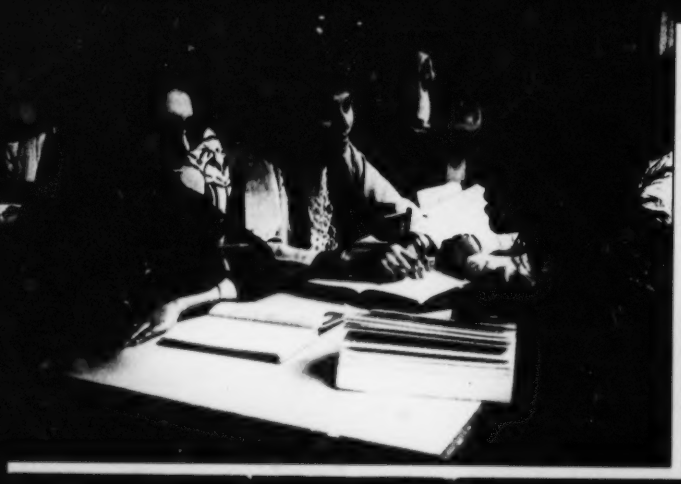
How state education systems respond to the languages of minority groups is often a key test of how far the education system and, by inference, the state, responds to the more general needs of minorities.[8] Over the years, many linguists have drawn up taxonomies to describe the range of ways in which education systems may deal with the issue of languages. Perhaps the most useful for our purposes are those which stress not just the status and usage of languages but the purposes behind the policies.[9] By ranging policies along a continuum from assimilation to pluralism one can see the nature of, and reasons for, different forms of diversity.

At the assimilationist end, language programmes are either 'submersion' or 'transitional' ones. In submersion programmes, as Skutnabb-Kangas outlines, 'Linguistic minority children with a low-status mother tongue are forced to accept instruction through the medium of a foreign majority language with high status, in classes where some children are native speakers of the language of instruction, where the teacher does not understand the mother tongue of the minority children, and where the majority language constitutes a threat to minority children's mother tongue'.[10] She goes on to say that this is the most common and most disastrous way of educating minority children.

In transitional programmes, pupils' mother tongues are used in the first few years of schooling, mainly to ensure a smooth transition from the minority language used by the pupil to the official language(s) used by the school. Competence in the language of instruction having been acquired, the mother tongue or home language of the student is subsequently ignored or taught as a separate subject. As Appel and Muysken explain, 'The minority language is seen as a disease from which the child must be cured. Such programmes do not affect the school as an institution representing a society which considers itself monolingual.'[11] These are more sophisticated versions of the submersion programme and are widely used to educate migrant children, particularly in Western Europe and the USA.

At the other end of the continuum is the pluralistic or maintenance model which is sometimes called the 'language shelter' model. Appel and Muysken define this model thus:

> *The minority language has a value of its own and is as important as the majority language. Therefore it is not only used as an initial medium of instruction for the minority group but also in later classes. The minority language occupies a more important position in the curriculum than the majority language.*



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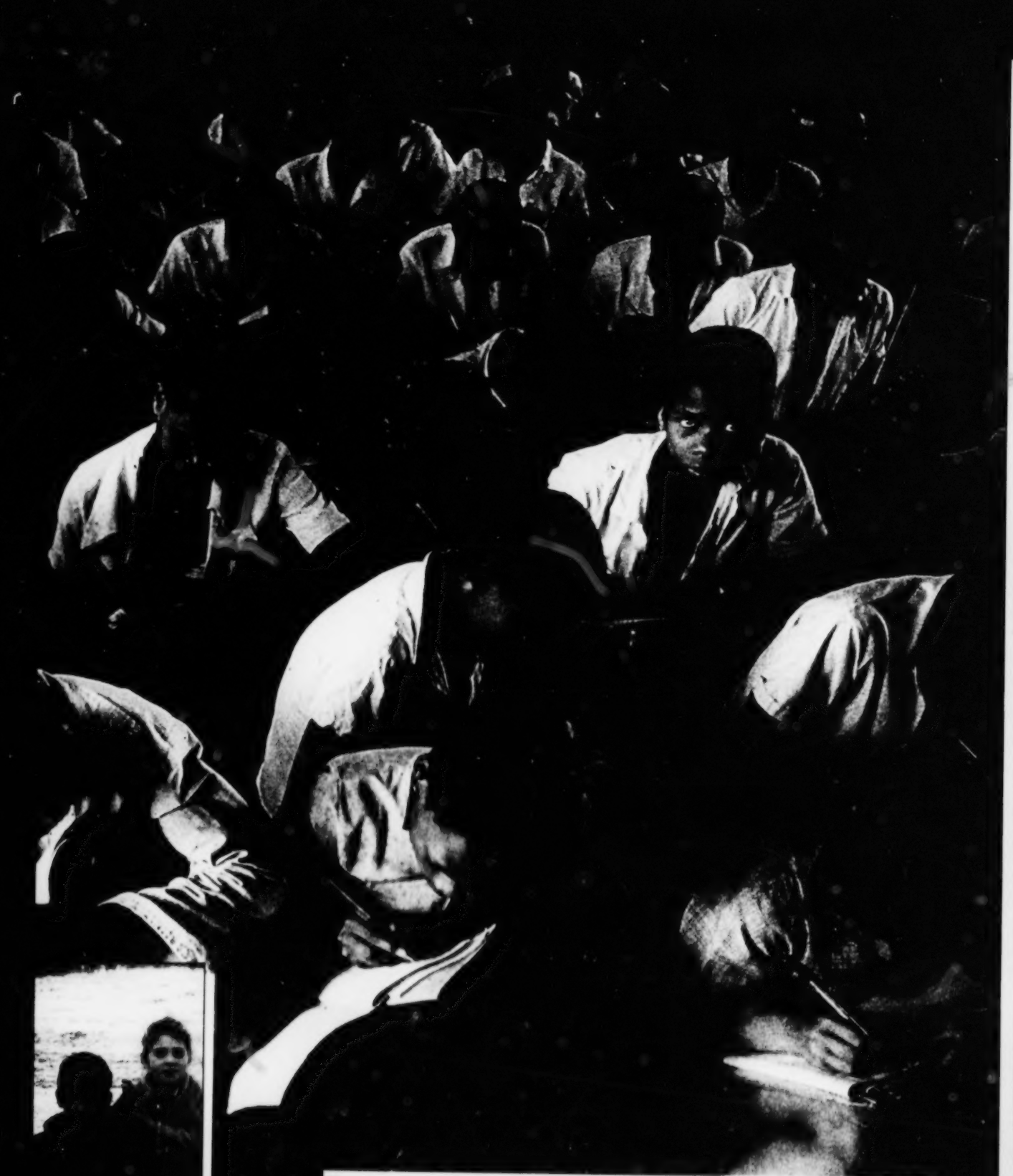

Main picture: Mozambique refugees in refugee camp school in Nsanje, Malawi. ELI REED / MAGNUM
Top left: Bangladeshi girls in the UK. PAUL MINYO
Upper left: Students at Aligarh College, a muslim university in India. ABBAS / MAGNUM
Far left: Girls School on Turkish/Iraq border in Zakho – no books remain. SHERI LAIZER
Left: Bedouin children at al Sayyid School, Israel. PENNY MADDRELL

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> *because the weakest language, which has only low prestige outside school, must be supported most strongly...[This model] is expected to contribute considerably to maintenance of the minority language by promoting more favourable attitudes towards it, and higher oral and written proficiency.*[12]

An example of a maintenance programme for minorities are the Finnish-medium classes for the Finnish migrant population in Sweden.[13] If minorities are to achieve full educational rights, then a language shelter programme would be a crucial part of this.

Another model of multilingual education is the 'immersion' one. This is for speakers of the dominant (rather than minority) language and should not be confused with minority language teaching. In an immersion programme:

> *Linguistic majority children with a high status mother tongue voluntarily choose...to be instructed through the medium of a foreign (minority) language, in classes with majority children with the same mother tongue only, where the teacher is bilingual so that the children in the beginning can use their own language, and where their mother tongue is in no danger of not developing or of being replaced by the language of instruction.*[14]

Immersion programmes have been pioneered in Canada where, for example, English speakers in Quebec are educated in French.

Bengalis in Britain: a case study

Research published by Minority Rights Group on a group of Bengali-speaking girls in Britain exemplifies many of the language issues found in the education of minority pupils.[15] The Bengali school students in the study, aged 15-16, had all either migrated to Britain from Bangladesh with their families or, in a few cases, been born in Britain to parents who had migrated from Bangladesh. All originated from the Sylhet area of Bangladesh and spoke the Sylheti dialect of Bengali.[16] The length of stay in Britain of those girls who had migrated from Bangladesh varied from two to fifteen years but almost all the girls had made lengthy visits to Bangladesh (in one case, for eight years). They attended an inner-city secondary school in London which had a good reputation for academic success and was situated in a predominantly Bangladeshi community. Ninety-four per cent of the pupils were bilingual, and 86 per cent spoke Sylheti as a first language.

The school offered younger pupils the chance to study Bengali for two lessons a week (out of 30) and older pupils to study for exams in Bengali (GCSE, taken at age 15-16, and then A level at age 17-18). Otherwise, all lessons were given in English although pupils could speak to each other in class in Sylheti (depending on the attitude of the teacher) and were sometimes asked to write in Bengali by different teachers. Those pupils who were starting to learn English were supported in this by English as a Second Language teachers, usually within the mainstream classroom.

Attitudes to the provision of Bengali on the timetable varied. For example, one of the pupils (Shahida) said, 'They're offering us a subject, that's a lot they're doing because this is an English-speaking country. You don't often see schools having Bengali lessons.' However, other girls identified problems with the Bengali provision. At one level, those who arrived at the school not already literate to some extent in Bengali found that the lessons did not provide them with basic literacy. At a higher level, some who were highly literate in Bengali said that the level of the GCSE was low and too easy for them. Another of the pupils, Fatima, commented, 'If you do an exam in this country it's really easy and if you do an exam in Bangladesh it's really hard.' The low level of the GCSE is reflected by the fact that girls were using the Bengali Book 5 from Bangladesh as preparation for the exam whereas this text book in Bangladesh is intended for the last year of primary education.

Whatever difficulties there were with the Bengali provision at school, it was notable that all but one of the eleven pupils in the study were literate in Bengali and had put considerable effort into achieving this literacy, thus indicating its importance to them. Parveen explained, 'I know Bengali because my mum taught me' and Razna said, 'I went to Bengali school in this country for two years...then afterwards I just read books at home. My sister she reads books and then she told me to read some of it and she used to test me to see if I was all right.'

Although Bengali was provided as a subject on the timetable it was not used as a medium of instruction for other lessons. As a result, pupils were losing or not developing the specialist Bengali required for academic subjects. For this reason it is clear that a shift from Bengali to English was occurring, despite the efforts of pupils to retain and develop their skills in the language. One of the pupils, Bilkiss, demonstrated the influence of her education (in English) on her Bengali when she said, 'I find it easier to think in English...even when I want to write a story and let my imagination flow I think in English. Maybe it's because I haven't written any stories in Bengali that I don't think in Bengali.' Razna also explained how failing to study Bengali to a high level has led to a loss of the language for academic purposes: 'This school, they told us going to Bengali school is a distraction in a way...They say it's good to get it over and done with in the first and second years...so you can concentrate on your English and pass your exams. I don't (agree with this) 'cos if you continuously read Bengali that improves as well as your English...We're 15 now and in English we're more experienced now, where in Bengali, if I did continue I'd experience more things and I'd be as good as English now.'

For Shahida (who was born in Britain), English was starting to capture the domain of home as well as school: 'I'm more used to English because I speak it at home to my brother and sister and English with my friends...I'm sorry I know English, that's my second language, better than my own language.'

Although this shift from Bengali to English is clearly under way, it was striking how important the minority language was to the girls in the study, as part of their identity. Razna said she made an effort to speak Bengali at home and at a wedding even though 'English comes up'. If she speaks Bengali she says she feels 'more sort of satisfied with myself'. Appel and Muysken comment that the

minority language 'may be highly valued for social, subjective and affective reasons, especially by speakers from the younger generation in migration contexts. This form of language loyalty reflects the close relations between the language and social identity of ethnolinguistic groups.'[17] The Bengali pupils at the London school demonstrated this point when they said, 'It's our language, we're Muslim, and we should learnt more about Bengali' and 'It's my first language, right, and English is my second language so I should know my first language more than my second language'. Trips to Bangladesh reinforced strong feelings towards Bengali. Bilkiss agreed, 'When I went everything was in Bengali...I felt a bit dumb because I couldn't understand anything and I realised Bangladesh is my motherland and I should learn some Bengali.' Similarly, Razna said, 'I think in the third year kids like us needs to go to Bangladesh...when I was in the third year I was half way through becoming an adult and I went (to Bangladesh) and experienced a lot of things and I thought now Bengali is as important as English.'

It is important that schools should acknowledge that provision of classes, books, posters and so on in the minority language are important and to be welcomed for their psychological significance, but they should not be confused with real development of the minority language. Given the way minority languages are taught, or in most cases not taught, in mainstream schools in Britain it is inevitable that pupils like the girls in the study start to lose their first language and feel, as Razna said, 'When I grow up I'm going to have problems with my children, they'll probably speak English. It's going to be much harder for them than it was for me.'

5: ASPECTS OF RELIGION IN SECULAR EDUCATION

by Jagdish Gundara

The way religion, religious knowledge and secularism are dealt with in education systems is crucial to the relations between members of minority and majority groups. Given the religious diversity in many societies today, it is becoming more and more necessary to have clear definitions about the rights and obligations of the various citizens and groups within them, particularly since in many countries recently there has been evidence of increasing antagonism towards other religions and a rise of narrow, exclusive nationalisms.

One can see in many diverse societies throughout the world an increase in the influence of religion on their governments. This situation cannot be ignored, especially since it is now occurring in overtly defined secular states. Such a phenomenon does not necessarily arise only in marginalized societies since the power of religious symbolic systems has always been stronger than the more diffuse ones of secular societies. (See, for example, the power of religious broadcasting in the Bible Belt of the United States.)

The rise of such strong belief systems in modern secular states may be a reflection of how the latter have failed to provide a safe and secure framework for a number of communities practising different faiths. It may also be partly attributed to international assertions of human rights which are not accompanied by effective measures to ensure their implementation at local political and social levels.[1]

Secularism is essentially a legal system which provides the necessary framework to nurture equality for all citizens at the public level, and to safeguard the sacred at the private level. The secular collectivity is not necessarily theistic, atheistic or agnostic[2] and therefore provides a 'nest' for all groups as well as having a role to protect their citizenship rights. 'Positive secularism', in this sense, goes beyond the merely religious toleration of other groups but, rather, moves towards the notion of all groups belonging in society.

The modern state has a major interest in education as a way of providing the labour market with skilled personnel and also of critically sustaining humanistic, ethical and cultural values. Any state which is characterized by both interdependency and pluralism must therefore build a framework which will inform the curriculum with such values. An awareness of these is necessary in order to ensure the viability and stability, as well as the feeling of shared belonging, of diverse groups. The basis of interdependency ought to be, on the one hand, a mutual respect for those who have different belief systems and, on the other, an enabling of the children of those diverse groups to understand their rights and responsibilities. Problems which may arise as a result of the difference in the backgrounds of the various children in such a society can be resolved only if the rights of *all* of them to exist in the school and in the society are accepted.

These common basic values have, for many people, their roots in religion. One of the problems facing schools with children from diverse, or even singular, identities is how to deal with those who already adhere to a set of values which are either not much different from prejudices or else are based on reason or deeply held beliefs. Both require teachers and pupils alike to question the assumptions on which these values are founded, and for teachers to understand, articulate and present an alternative set which will allow these children to make sense of the complexity and diversity of the society in which they live.

Many secular societies are today being challenged by the demand for religious education, or an education system based on one religion, and these demands contradict the notions of 'positive secularism'. The failures of secular ideologies to address many of the conditions of humanity appear often to activate a longing for religious fervour. The disillusionment with the lack of political and social solutions to many societal problems has created an insecurity and it is not surprising that defensive reactions in complex societies emerge, particularly from marginalized groups. In many of the ex-colonized societies, for example, which have embraced a secular political form, the indigenous elites have failed to deliver promises made to the masses. As a result, many people have become disillusioned and reverted to imaginings of past glories (such as Islam or Hinduism). As Tehranian states:

> *Culture has provided a last-ditch mechanism for the peripheries against the centres of power. Language, religion, ethnicity, and cultural preferences as reflected in educational and media programmes have been thus politised in a variety of contexts to an unprecedented degree.*[3]

In educational terms, the dominant group may react to this situation with real or imagined fears of drugs, sex, violence, and a fall in discipline becoming more apparent in the secular schools. It reacts by sweeping aside the interests of the minority groups, who may be suffering greater and greater levels of educational inequality and may make vocal demands for separate schools. Separatist solutions to disadvantage, however, and/or spiritual conversions cannot correct serious inequality either in society as a whole or in the educational sphere.

One of the problems of the secular polity is that its messages have failed and that the simplicity of those messages of religiously based groups has touched a chord. As Gilles Kepel suggests:

> *Movements for the reaffirmation of religious identity have undergone a considerable change between 1975 and 1990. In fifteen years they have succeeded in transforming the confused reaction of their adherents to the crisis of modernity into plans for rebuilding the world, and in those plans their holy scriptures provide the basis for tomorrow's society.*[4]

Marty and Appleby agree that fundamentalists in most contexts 'have proven themselves skilled at discerning the problems of society and naming the perpetrators, but they have been far less impressive in posing workable solutions'.[5]

While the religious school or the curriculum can teach the

Koran, Torah or the Bible, the main issue in the secular educational domain is how to teach the 'profane' subjects like literature, history, geography and civic education in an intercultural manner to broaden the understanding of children from different nationalities and religions. Educationalists working from infant to university levels need to understand how to teach the best religious values interculturally but not allow secular humanist institutions, ideas and knowledge to be captured for narrowly nationalistic purposes.

Public and private domains

A school would be failing if it did not provide its students with a critical edge to their thinking, which can in turn provide them with a solid foundation from which to defend their belief system. Education which claims to be based on human rights, the democratic principles which claim to be opposed to domination, and which at least officially aims at mutual understanding, is not value free. However, educators need to be aware of the pedagogical function of education and the values on which secular education is based. Therefore, it is important to define the basic ethical and cultural values which should be brought about through secular education. These are not values to be imposed on parents and students but to be negotiated with them. This process of negotiation in itself ought to promote mutual understanding.

In a secular state, institutionalized education belongs to the public domain, while religion belongs to the private domain. However, in a multicultural society, the division between the two needs to be negotiated since there are no clear distinctions between the public and private spheres: both contain positive values which should enhance and inform each other.

The division of life into private and public can only improve a secular society. Certainly, one of its functions should be to ameliorate the position of minorities or subordinated groups. However, this is hard to achieve in those diverse societies where different religious communities have a fundamental right to establish their own schools but are not necessarily able to promote mutual understanding with other groups. Such understanding is more likely to develop if there is a shared curriculum in a common school system, and less likely to develop if there is not. Paradoxically, though, it may be necessary to create a differentiated school system in order to empower marginalized groups.

Since one religion cannot dictate to a heterogeneity of religions in a secular society, the nurturing of a secular morality and value system within the public institutions becomes incumbent on schools. A distinction needs to be drawn between private morality and law, and between sin and crime, thus ensuring a distinction between the metaphysical concerns of citizens and political ethics in general. In this way, an encompassing confidence in the polity as a whole is encouraged. Schools, however, cannot impose an across-the-board value system since, given different features of commonality, and the weakness or strength of secular institutions, different action must be taken in different localities. Nevertheless, it is important that teachers encourage the development of notions of a 'common good', or a broader 'public good', in their students.

In principle, the values instilled through public education should be limited to those of the secular state within the public domain. The school in a plural society should not, by definition, interfere in the private domain because the essence of pluralism is the recognition of, and respect for, the diverse life-styles and belief systems of groups, families and individuals. However, the school as a social institution does have the right to foster and nurture the common good of all members of the school and of the society of which it is a part. The school may not wish to ignore religious knowledge. Teachers should therefore teach *about* the values of the private domain in such a way that the values of all children in the society are validated, and those from minority communities do not feel reticent or nervous about their religious identity or lose their self-confidence.

Knowledge, understanding and toleration of religion is a prerequisite for the maintenance of democracy. It is therefore essential that education is aimed not only at the attainment of qualifications but also at an appropriate level of socialization. The latter should come from a development of the attitudes and behaviour of individuals, which are based on an awareness of shared values.[6] Since these secular values are drawn from diverse cultural and religious sources, states should never arrogantly dismiss the values of other cultures, either through their political or education systems.[7] If they allow this to happen, they run the risk of stirring up regional, ethnic, linguistic, religious and communal tensions.

An Indian case study

In India, the development of a complex value system, incorporating the best of both secular and religious spheres, presents a major challenge in political and educational terms (as it does in other countries as well).

After India's independence from Britain in 1947, the Indian Constitution stressed the secular nature of India. National leaders like Mahatma Gandhi supported it for philosophical reasons, while Nehru did so to create a liberal, democratic and progressive state. Secularity was seen as the only possible political solution to India's multi-faith society and was agreed on by consensus, and after discussion with minority groups.

Although notions of religious tolerance are historically not unusual in India, the development of secularism in the country has been by no means easy: extremist Hindu political groups in particular have increased in number and power in recent years. These do not accept such notions as tolerance and pluralism, nor that of a secular polity. However, as Amartya Sen comments:

> *Secularism is, in fact, a part of a more comprehensive idea – that of India as an integrally pluralist country, made up of different religious beliefs, distinct language groups, divergent social practices. Secularism is one aspect – a very important one – of the recognition of that larger idea of heterogeneous identity.*[8]

The issue is, in fact, not only of heterogeneous identity but

of plural identities. Religious extremists like the Hindu revivalists tend to ignore the non-religious and complex identities of not just individuals but of social groups. India, however, cannot be seen simply as a Hindu country because it contains not only the third largest number of Muslims in the world (over 100 million) but also many other faiths including Sikhs, Christians, Parsees, Jews, Jains and Buddhists (not to mention atheists and agnostics).

The other fallacy of religious sectarianism is the assumption that there is one identity within each faith community. Yet there is not only immense diversity amongst Hindus but also amongst those of other faiths as well. As an example of heterogeneous identities, Gandhi was not only a Hindu and a believer at a personal level, but also a secular Indian in terms of his role as a politician. The experience of the Bhartiya Janata Party (BJP) shows that sectarianism based purely on religion need not always succeed. The dominant Hinduism which informs the BJP is largely confined to northern India, particularly the province of Uttar Pradesh. Yet the defeat of the party in the autumn 1993 election in Uttar Pradesh also shows how the largely illiterate electorate judged the party on grounds other than religious ones.

In many societies, many groups are perceived to be non-indigenous, and therefore not to belong. This is the case for Muslims on the Indian sub-continent even though the overwhelming proportion of them come, not from outside the country, but from indigenous families that converted to Islam.[9] Thus, the construction of Muslims as non-indigenous fanatics by Hindus is not only a travesty of reality but a denial of the loyalty of the millions who have consciously chosen, or happen, to live in secular India rather than in Muslim Pakistan. Such narrow constructions by the Hindus not only twist historical and contemporary realities but are partially a result of the failures of the education system to address such questions. While Muslims, Parsees, Jews and Christians are as Indian as any Hindu, the evocation of a mythical Hindu past is an obscurantism which has been politically mobilized. The gullibility of its advocates is partly a result of low-level elementary education, which means educators, who have access to the long history of Indian tolerance of difference, are not propagating it. Rather, they are using literacy to misinform and create bias – both of which can be dangerous. For example, in 1992, Vidya Bharati prepared a new set of history textbooks which were to be used in schools in states controlled by the BJP. In their textbooks:

> *The revivalists depict the Mughals as foreigners and oppressors, and interpret Indians' achievement of freedom from English rule as but the latest episode in a long ongoing struggle to free India from foreign influences. Muslims are, by this interpretation, the contemporary incarnation of the Mughal pattern of dominance.*[10]

The challenge posed to the secular schools and the Indian polity by Hindu revivalism is great, and their hegemonic views require a concerted effort, including educational initiatives, to re-legitimate the broad social diversities in India.

Unfortunately, the educational and political elites of the country are profoundly out of touch with the concerns of the masses. Any educational project which enables minorities in India to belong has to re-evaluate the role of religion in contemporary society. A re-examination of the public space in light of the re-emergence of the sacred can only take place if the educational and political concerns of the masses are met. Also, in India, secular and religious ideologies compete for the public space so a new balance of freedom and rights cannot be imposed from the top but needs to be made more locally relevant.

The failure of secularism in India is seen by Verma as emanating from a failure to implement 'positive secularism', which ensures that religion as an institution does not adversely effect the survival of the polity. 'In India, the State should take over the total education system along with training and other schemes of orientation, from secondary to university levels.'[11] It is, however, doubtful if this is a feasible option under Articles 29 and 30 of the Indian Constitution since they allow various linguistic and religious minorities to establish their own educational institutions. Yet, apart from the constitutional problems, the state ought to regulate the curricula and functioning of such institutions since their abolition and replacement may create reactive situations which are counterproductive. A more constructive way of resolving such an issue could be to rationalize and regulate the vocational and social aspects of education which lead to greater equalities of outcome between majority and minority groups. This could be done by the national curriculum planning agencies ensuring that the social sciences, humanities, literary and arts curricula are not used to negate notions of secularism in India or to foster communalism or religious revivalism.

It is also important to ensure that neither dominant nor subordinate groups use partisan and party political influences in education. State-funded schools which do not follow general guidelines in this area should be withdrawn. One of the dangers to the secular polity is the presence of minimally regulated communal educational institutions which foster narrowly based schooling (and therefore critical thinking).

The educational process should enable the majorities and the minorities to trust each other. This is particularly important if the rights of disadvantaged minorities are to be protected. Hence, minorities as well as majorities should be able to develop their mother tongues. Neither the minority groups nor their languages should be isolated, as has certainly been the case for Urdu, the language of the Muslim community in India. The use of Sanskritized Hindi by Hindu revivalists further alienates vast numbers of minority language speakers.

There is no doubt that the English-speaking Indian elite, which has capitulated to Hindu revivalists in allowing media and educational institutions to give a privileged position to Hindu discourses, have helped undermine the secular polity in the last decade.

6: THE ROLE OF THE CURRICULUM

by Sarah Graham-Brown

The development of mass education during this century has played an important role in promoting national integration and uniformity in states, both in the industrialized societies of the North and in the post-colonial societies of the South. Curriculum development reflects the ideological as well as educational priorities of the state by apportioning time and emphasis on work in specific languages and influencing the content of education in areas such as literature, history and geography as well as religious or cultural studies.

In relation to education, and particularly to shaping the curriculum, it is difficult to generalize about the educational demands and needs of minorities. Their character may vary from indigenous groups whose identity has been suppressed or obliterated by colonialism and conquest, to former slave societies, to immigrant groups of differing lengths of settlement and prosperity. Economic conditions and levels of integration encompass marginality and open conflict at one extreme to prosperity and relatively high degrees of acceptance and integration into the majority society on the other.

Even within one multicultural society, the concerns of minority groups may differ. One minority may stress the importance of learning in their own language; for another, language may not be an important issue, but rather the concern may be that their children receive appropriate religious and cultural education; while, in other cases, the main preoccupation may be with recovering a history and culture which has been suppressed or ignored.

However, there are some major themes which underpin the concerns of minorities which are subject to repression or discrimination. Cultural assumptions may be built into the curriculum by the state which are irrelevant or antipathetic to minority groups' needs and understanding of the world. At their most oppressive, such assimilationist policies can be used by governments not only to consign languages and linguistic systems to oblivion but also to suppress religious and cultural identities, ways of life and forms of knowledge.

Jagdish Gundara points out that a major challenge for many minority children in schools:

> *...is how their knowledge is suppressed while the dominant system remains Euro-centric...These hegemonic understandings are informed by the imperialism of Europe. As Edward Said writes: 'Without significant exception the universalising discourses of modern Europe and the United States assume the silence, willing or otherwise, of the non-European world. There is incorporation, there is inclusion; there is direct rule; there is coercion. But there is only infrequently an acknowledgement that the colonized people should be heard from, their ideas known.'*

Gundara notes that:

> *The most widely excluded areas of knowledge relate to the most marginalized groups and minorities. Such re-structuring of the knowledge basis and the design of curriculum by planners in a democratic manner is essential to reorientate the misunderstandings and misreading of history.*[1]

In many post-colonial societies attempting to consolidate multi-ethnic communities created by the drawing of colonial borders, the school curriculum, as well as language policy, stresses national integration at the expense of diversity.[2] At the same time, most post-colonial education systems are still strongly influenced by the educational ideologies of the former colonial powers, particularly in regard to curriculum and exam structures.

Struggles over integrationist policies are not confined to the so-called developing world. They have re-emerged in supposedly 'assimilated' societies of the North, in challenges to the treatment of indigenous cultures, for example in the USA, Canada and Australia; to the treatment of ethnic and linguistic minorities in Europe long assumed to be assimilated; and to the treatment of immigrant populations, especially from the South.[3] Struggles over the language and cultural content of education are also likely to occur in the newly emerging nations of the former Soviet Union and in Eastern Europe, where strong nationalisms suppressed during the Communist era have re-emerged and threaten to victimize minorities who are often far from welcome in the new states.

Language, culture and the curriculum

The relationship between language and culture in educational policy is a complex one. Minorities may be excluded from power and influence through lack of access to the language of power and government. On the other hand, education and social mobility may distance minority members from their own cultures, while reinforcing the isolation and oppression of those who remain outside the dominant culture, in particular women who usually have less access to formal education. This can lead to the marginalization of indigenous languages and culture and of the ways of learning embedded in them, particularly in cultures which do not have written languages. From the minority perspective, the content of the curriculum, and the language chosen to teach it, can be a very sensitive issue.

In Peru, among the indigenous population, according to a study, education is regarded by many as the imposition of an alien language and culture:

> *School is not necessarily perceived as an agent of socialisation, insofar as it is perceived as embodying western [culture] and as such could represent another of the institutions which destroys ethnic identity (Quechua/Aymara). The social and psychological cost of contact with the outside world is very high for the indigenous people: their home and community become the only spaces where their identity does not cause shame, and traditions are kept alive. Thus we can say that women's lower levels of literacy and access to formal education are a means of defence against external, assimilating forces.*[4]

In other societies, education has ignored or bypassed indigenous cultures and languages. Some African governments have opted for the language of the former colonial power in the interests of national unity or nation building as, for example, is the case in Mozambique where Portuguese is used instead of a multiplicity of local languages. Though this may avoid the domination of one ethnic language and culture, it tends to reinforce further the legacy of educational values and attitudes from the North, while downgrading the importance of local cultures and languages. It has also become evident to some minorities that simply insisting on the use of their language for instruction, without incorporating cultural aspects, is not enough. The cultural content is just as important as the language itself.

Stavenhagen describes the slow moves towards bilingual education for the speakers of some 56 different Indian languages in Mexico. After the Mexican revolution, the assimilationist policy of teaching Spanish to Indian communities was regarded as part of efforts to advance them from their 'backward' condition. In acquiring Spanish 'they would have to abandon their Indian ethnic cultural traditions, including their native language, and acquire what is officially called national culture, which is largely of Spanish origin.'[5]

Changes in this policy began in the 1950s with the training of Indian teachers in bilingual education at primary level. However, since the 1970s, an increasingly vocal group among these teachers has gone beyond the question of which language to teach in and to challenge the cultural content of the educational curriculum itself.

Finally, the ability to insist on mother-tongue education and a culturally relevant curriculum depends on the cohesion, size, political influence and level of organization of the minority in question. For example, in Slovakia, the proposal for bilingual schools submitted by the Minister of Education in May 1993 met with varied responses from the different minority communities. Representatives of the Hungarian community did not consider the proposal to be progressive since prior to 1989 there were already bilingual schools with Hungarian as one of the languages of instruction. The Hungarian minority is now pressing for separate schools and for university faculties specializing in minority cultures, despite the fact that this strategy holds the danger of isolation and marginalization in a labour market dominated by Slovak-speakers. The Hungarians' situation is in sharp contrast to the politically weaker Romany, Ruthenian, Ukrainian and German minorities who welcomed the proposal since they had not previously had the opportunity to be educated in their own languages.[6]

Curriculum content

Curricula and textbooks, along with the attitudes held by teachers, can allow or promote negative stereotypes of particular groups which not only affect the sense of identity and self worth of the minority but also ensure that the next generation of majority children perpetuate these views. Discriminatory attitudes may be overtly promoted as an educational philosophy, an example of which was the 'National Education' in South Africa which explicitly designated the black 'majority as minority' as inferior. Even when this is not the expressed intention, prejudices are likely to be reinforced if children's educational experience reinforces individual and collective feelings of superiority or inferiority, rather than tolerance and interest in other cultural experiences.

T. H. Eriksen shows the effect such implicit or explicit policies may have:

> *Standardized mass education can...be an extremely powerful machine for the creation of abstract identifications. Literacy enables people to create 'authorized' versions of their history, and in view of the 'objective' status granted to written accounts of history in most literate societies...the manipulation, selection or reinterpretation of history for political or other purposes becomes an important activity in the creation and re-creation of ethnic allegiances.*[7]

Discussion of curricula within the educational establishment often focuses on largely technical issues which, though important, do not necessarily acknowledge the ideological underpinnings of curriculum formation. Such discussions avoid, for example, the question of overt political manipulation of educational materials, yet this is a common problem. Especially where a particular ethnic or tribal group or elite dominates government, its control over the curriculum often leads to the construction of a version of history, particularly of the recent past, which heightens the role of that group at the expense of others, particularly where there has been a background of political dissidence. Suppression of events or cultural ideas which are viewed as subversive or divisive is also common. Many 'popular education initiatives' which were developed in Central and South America during the 1970s and 1980s were preoccupied with challenging the norms imposed by state school curricula, which were seen as politically and culturally irrelevant or destructive of the histories and experiences of other groups, including indigenous peoples.

In some countries of the North, attempts have been made to develop 'multicultural' education to reflect the cultural diversity of their societies. However, these policies have often met with criticism both from the establishment and from minority groups themselves. Some minority communities have argued that these are 'top-down' initiatives which are designed to weaken minority cultures and to avoid confronting racism within the majority society. This viewpoint has, in some cases, led to demands for separate study of the minority's culture. Some academics have pointed out that this trend could result in a cultural relativism which prevents development of students' critical faculties and creates new mythologies about minority cultures.

Another problem of multicultural programmes is that many of them focus on the minority as the object of study rather than discussing the majority's own attitudes and relationships with other cultures:

> *Teaching about minorities cannot be a marginal issue. Minority groups are not merely interesting, often exotic, topics of study peripheral to the realities of everyday life. Because the whole minority*

experience is contingent upon behaviour of a dominant group it is more appropriate to talk about majority/minority issues.[9]

The basic concern for minorities at the level of policy relates to who influences/controls the production of the curriculum. A key question is whether the minority group is represented at the various decision-making levels for, in this way, they can be part of a negotiated solution rather than one imposed by government. There are more examples found of a participatory approach to the content of educational programmes in the field of non-formal education and literacy work than in formal education systems, where the bureaucratic structures of education departments are not necessarily receptive to outside involvement in decision making. Perhaps the most effective area of participation has been at the local level of teacher/parent community leaders in discussions on specific educational needs.

There are, however, many dangers in challenges to authoritarian education systems. It is possible for education to become (as one South African observer put it) 'a process of looking for a new set of right answers' by victimising another minority or even a majority.[9] It is also unlikely that an authoritarian regime of any kind will create a democratic education system which gives a voice and influence to the concerns of minority groups, particularly if they are suspected of dissidence.

Problems can arise, too, in viewing minorities, even oppressed minorities, as homogenous. Membership of an oppressed minority does not necessarily mean everyone in that group agrees on the nature of their culture and identity, or how these should be reflected in the curriculum. However, to give minority members the opportunity to debate these issues, without feeling that disagreements were harmful, would be an important development.

Reforms of the curricular framework alone cannot bring about change. Teachers can influence educational outcomes by denigrating or ignoring minority culture, language or interests. They can also signal their expectations of the ability of students and may discourage minority pupils from particular subjects or areas which they consider to be too demanding. Therefore, a crucial part of curriculum reform is the training of teachers, not only in the content of the curriculum but in the attitudes they bring to the classroom. This includes the selection of teachers from minority groups; the education of non-minority teachers in understanding minority cultures; and appropriate and accessible text books.

Finally, the economic context also affects both implementation and relevance of the curriculum. If, for example, most schools, particularly in remote rural areas, do not have a proper supply of text books, however worthy their content, they will fail to reach those who need them. Many minorities are among the poorest sections of the population so that curricula designed for the needs and aspirations of middle class urban children will not meet those of poor and marginalized communities, majority or minority. Indeed, many such minority groups remain without access to education beyond the first few grades. It is common for women from rural minority groups to face the most difficulties in this respect.

Thus, while the value of formal education is often promoted by governments and international bodies, 'The level of formal education of minorities and indigenous peoples in many parts of the world is very low. Not only does the issue of Eurocentrism exclude them and their knowledge systems, but so do the national governments.'[10]

The case studies below exemplify situations where the dominant group in society does not accept the identity of the minority – not simply as a linguistic group which needs to be accommodated, but as an entire culture. They also relate to long-standing national struggles to assert that identity by peoples who belong to larger groups extending beyond the boundaries of the state in question. In the case of Palestinians in Israel, despite the fact that the Arab education system remains separate and unequal, there have been some positive developments over the last ten years within the Arabic-medium curriculum. In the case of Kurds in Turkey, similar steps have yet to be taken.

Palestinians in Israel

Israel has pursued two different education strategies. For all of its Jewish population, of whatever ethnic origin, it has followed an integrationist model. This, ironically, has led to protests from some sections of those communities originating from Arab countries that their culture has been subordinated to that of European, Ashkenazi origin. Furthermore, recent research suggests that educational provision and achievement in these communities, despite subsidies, is both inferior to and – in practice – segregated from the wealthier and more privileged Ashkenazim.[11]

The Palestinians who remained in the state of Israel after the 1948 war became a minority in their own country. Today they make up about 18 per cent of the total population inside the post-1948 borders of Israel. After 1948, the Israelis created a separate Arabic language schooling system. The main goal of the Arab schools' curriculum was to foster a 'loyal minority', though one which was neither trusted nor well accepted by the majority society. The Palestinians in Israel remained under military rule until 1966 and subsequently remained second-class citizens in many respects. Since that time, this minority in Israel has remained relatively isolated. It has retained its language, but has been influenced by evolving Israeli culture. It has, for the most part, been cut off from social and cultural developments in the wider Palestinian community outside the 1948 boundaries of Israel.

Until the 1980s, as part of efforts to create a loyal minority, any contemporary signs of 'Palestinian' identity were suppressed. The goals of the history curriculum, for example, differed sharply between Jewish and Arab systems. In Jewish schools the aim was not only to instruct students in the 'culture of mankind' but also 'to instill a Jewish national consciousness' and 'the feeling of a common Jewish destiny'. Arab students, on the other hand, were only asked 'to value correctly the part played by Jews and Arabs in the culture of mankind'. The Arab system further aimed to 'instill an awareness...of the importance of the State of Israel for the Jewish people...and a sense of the common fate of the two peoples, Jewish and Arab...'[12]

The Arabic school curriculum rigorously excluded contemporary Palestinian literature (much of which refers

directly or indirectly to the Palestinians' struggle) and imposed the then standard Zionist view of the recent history of the region and of the creation of Israel. A similar approach also affected the presentation of geography. Hundreds of Arab villages within the borders of 1948 Israel had been destroyed or renamed by the Israelis and their Arab place names 'vanished' from history and geography text books.

While the separate system kept Arabic alive as a language, Palestinians were disadvantaged in access to jobs and higher education in part because of their weak command of Hebrew, the dominant language. Teachers were Palestinians but were strictly vetted by the internal security services and their classroom performance was scrutinized.[13] Furthermore, while the Jewish curriculum aimed to unify different ethnic groups, the Arab one further fragmented Palestinian identity by emphasising 'minorities within minorities': Druze, bedouin, Muslims and Christians. The bedouin particularly have suffered acute deprivation of education: even in 1970, only 23 per cent of school age bedouin attended school. In the Negev, until 1966, many had been deprived of access to school by forced displacement during the period of Israeli military rule. Israelis frequently deny that the bedouin are Palestinians at all, and it is only in recent years that this minority within a minority has begun to reassert its identification with the Palestinians.[14]

By the late 1970s changes began to occur. The Arab education system had not succeeded in destroying Palestinians' specific sense of national identity. In fact, anger over educational inequality and suppression of nationalist sentiments led to the creation of Palestinian organizations dedicated to the preservation of their culture. At that time such organizations were frequently regarded by the Israelis as subversive. By the end of the 1980s, they had come to play an important role both in campaigning for improvements in the education system and lending support to teachers and students by providing workshops and supplementary classes.[15]

Revisions in the curriculum in the 1980s have allowed students greater access to modern Palestinian literature as part of the Arabic literature curriculum (1981). Changes have also been made in the programmes of history, Hebrew, Arabic and civics (the study of citizenship). A new civics textbook issued in 1987 states that the Arabs in Israel are an integral part of the Palestinian people and takes up subjects as touchy as land expropriations.[16] There is also a specific project in the Ministry of Education on 'Democracy and Coexistence'. However, these changes have mostly affected upper secondary schools rather than the primary or lower secondary levels.

The curriculum of the majority Hebrew-language schools has modified some of the most hostile images of Palestinians which it presented in the 1950s, but still tends to treat the 'non-Jewish' minority as marginal – as villagers or bedouin being led towards modernity by the Israeli state. Issues relating to refugees and conflict over Israel's borders have been largely excluded from school literature. Furthermore, the symbols of worth and progress in society are all identified with Jewish, and specifically Zionist achievements. This creates negative stereotypes which are often reinforced by the attitudes of teachers. However, the erosion of old certainties has brought some changes. In the 1980s, Israeli revisionist historians broke the consensus in the majority community over the history of Israel itself, producing accounts of the foundation of the state which acknowledge that the Palestinians were dispossessed.

Another contentious issue is the amount of time allocated in the Arabic and Hebrew curricula to subjects related to these respective cultures. Even in upper secondary general education, in the Arab system students have 7-8 hours a week of 'Arab studies' and 5-6 hours of 'Israeli studies', whereas in the Hebrew-medium state schools, 9 hours are taken up with Bible tradition, (Hebrew) language and Hebrew literature, history of Israel and civics. Arabic language is only now being made compulsory for grades 7-12.[17] In history, Jewish schools devote 40 per cent of teaching time to Jewish history and about 2 per cent to Arab history. Arab schools in contrast spend 20 per cent of their time learning Jewish and 20 per cent learning Arab history.[18]

Palestinian organizations and educationalists still criticize school curricula and history books used in schools for repeatedly asserting in particular the rightness of Jewish control over the country, that Israel is a Jewish state and that the Jewish people are unique. They argue that, for peaceful and equal coexistence with Jewish citizens of Israel, Palestinian students need to have easy and free access to their history and culture. Some stress the importance of a Palestinian identity separate from a general Arab identity. They complain that when Arab history is taught, it is done so in the most general terms and reinforces the Jewish/Arab divide. Generally speaking, it seems that while Palestinians in Israel regard bilingualism and biculturalism as acceptable, this is less the case among the Jewish majority.[19]

Despite some improvements in the Arabic-medium curriculum, the Arab education system remains separate and unequal. Throughout the period since 1948, the Arab system has been severely underfunded, due to the general poverty and therefore low tax base of Palestinian towns and villages, and their lack of access to special support funds available to underprivileged Jewish communities. Today, this is the main focus of campaigns by Israeli Palestinians to improve the education system. Some promises have been made by recent education ministers but, so far, serious inequalities remain.[20]

Teachers in the Arab system remain overworked, and do not spend enough time in training. According to a recent study, no school head, school inspector or teacher is ever appointed without approval from the security services. Political activity of any 'nationalist' kind will exclude an applicant from appointment, while belonging to the Arab wing of one of the Jewish political parties, or bribery, may help in being appointed.[21]

Matriculation levels are low compared with even the poorest Jewish students and there is a high percentage of dropouts at elementary and secondary level. Some of the reasons, particularly for female dropouts, are cultural but they also reflect low achievement, an ambiguous attitude to education and low feelings of self-worth among many Palestinian students.

Kurds in Turkey

Kurds live mostly in Turkey, northern Iraq, Iran and in parts of the former Soviet Union. They make up approximately 19 per cent of the population of Turkey, concentrated mainly in the south east, though many Kurds have migrated to western Turkey and also to Europe. Since the formation of the Turkish state in the 1920s, replacing the polyglot Ottoman empire, a strong Turkish nationalism has dominated state ideology.

After Kurdish uprisings in the 1920s and 1930s, the Turkish government implemented a range of measures against the Kurdish language and culture. Their language was forbidden, in written and spoken form, Kurdish folklore was banned, Kurdish villages were given Turkish names, and people with distinctively Kurdish names had to change them and assume Turkish family names.[22] 'A whole scaffolding of linguistic and historical pseudo-theories, which supposedly "proved" the Turkishness of the Kurds, was to serve as a justification for the destruction of the Kurdish entity. These theories were erected into an official doctrine which was taught, inculcated and propagated by the schools, the universities, the barracks, the newspapers, the radio and publications of all sorts.'[23] Despite all these efforts, by the 1960s more than three-quarters of the Kurds in Turkey still did not speak Turkish.[24]

Aside from political and military repression of all separatist tendencies, the Turkish state has imposed a highly centralized education system which puts explicit emphasis on national unity and ignores the separate history and culture of the Kurdish people.

The educational curriculum makes no concessions at all to the multinational and multiethnic character of Turkey's population. On the contrary, the traditional Kemalist line is that the Turkish nation is a monolith without ethnic or other minorities. The only exception is the small Christian populations in Istanbul which are covered by a convention attached to the Treaty of Lausanne (1923). The Turkish Constitution enshrines the prohibition on using any first language except Turkish, so that mother-tongue teaching of Kurdish would require changing the constitution as well as the education legislation.

According to the Basic Law of National Education (1973, amended 1989):

> *The overall objective of the Turkish national education system is to train all members of the Turkish nation*
>
> *1) as citizens who believe in Ataturk's reforms and principles and Ataturk's concept of nationalism as expressed in the Constitution; who endorse, protect and develop the national, moral, humanitarian, spiritual and cultural values of the Turkish nation; who care for and relentlessly promote their families, country and nation...*[25]

Ataturk's principles include:

1. Education shall be national.
2. Education shall be Republican.
3. Education shall be based on the principle of secularity.

The pupil in Turkey is to be educated so that: 'He/she knows that the territory and people of the Turkish state constitutes an indivisible whole, that the Turkish republic is a national, democratic, secular, social and legal state, and that he/she feels the individual glory of the Turkish nation and understands his/her responsibilities.' Furthermore, the aim is to teach the pupil: 'To read, write and speak correct Turkish, and to know, adopt and defend the basics of Turkism [*Turkluk ilkeleri*].'[26]

This view of Turkish ideals affects not only subjects such as civics, history, literature and language, but also religious education. While most Kurds in Turkey are Sunni Muslims, like the majority of the Turkish population, Turkish education seeks to identify Islam with Turkishness. The regulations governing religious/moral education classes, which the military regime made compulsory in primary and secondary schools curricula from the early 1980s, stipulate that special attention should be given to emphasizing the historical role of the Turks as leaders and propagators of Islam in the world. Furthermore, the now somewhat discredited 'Turk-Islamic synthesis', whereby Islam is seen as an integral component of Turkish national identity, is still evident in official policy on the curriculum, especially in religious education. For example:

> *The love of justice* [Hak sererlik] *gives depth and width to the understanding of Turkish Islamic society...The respect resulting from this love of justice along with the need for Islam are among the fundamentals of the Turkish way of life... Thus, these basic fundamentals* [of Islam] *will not be formally learnt by heart but will be taught in the way to bring about 'basic Turkish morals'.*[27]

Teachers, whether Turkish or Kurdish, can be dismissed or arrested for not conforming to these rules, or for acknowledging the existence of the Kurdish language or culture. Consequently, they often feel obliged to pressure their students to conform. One former teacher remembers as an eight-year-old being beaten severely by his teacher for saying some words in Kurdish when he couldn't remember the words in Turkish, and being punished when overheard speaking Kurdish to his mother (who couldn't speak any Turkish).

However, some teachers have gone beyond ignoring this separate identity and singled out for ridicule or discrimination any pupil thought to be Kurdish, as the following stories from Kurdish refugee children from Turkey suggest:

> *Before the Religious Education exam I quarrelled with a boy. He was very stupid. He told the teacher 'Teyfik is Kurdish'. After the exam that boy laughed when he saw me but I didn't know why. I thought I did very well in the exam, and I thought I could get 8 and 9. The next week the teacher read out the students' marks and he told me I got 4. Everyone else got 7, 8 or 9...Some students said, 'Can I look at my test paper?' The teacher said, 'Yes, you can look.' So I said, 'Can I look?' The teacher looked into my eyes and said, 'Sit down, Teyfik, what are you looking for? You got 4. Why are you looking?' I didn't see my paper and I saw in school again all injustice comes to us.*[28]

Another Kurdish student recalls a growing sense of discrimination:

> *I've been living in Turkey all my life. We would pretend that we didn't hear what they were saying and just put up with it. Before even knowing what Kurdish or Turkish was, I know we were looked down upon. Even though I'm Kurdish, I haven't got a clue how to speak the language. You don't get a chance to speak Kurdish in Turkey anyway. When it came to schools, Kurdish children were as ambitious as the Turkish ones. But being Kurdish made it much more difficult to get on well...When it came to schools there was segregation everywhere between Kurds and Turks. The teachers would just make it obvious. When we were young we could never understand why they treated us in that way. As we got older and saw what was going on, we were beginning to find answers and really understand things.*[28]

The many Kurds who have migrated to the cities have still been subject to this ban on their identity. The majority Kurdish areas of the south east are among the poorest in Turkey, and this has also had an impact on educational achievement. Furthermore, in the early days of the republic some of Ataturk's advisers rejected the idea of promoting education there: 'Setting up schools in the Eastern provinces would awake the people of those provinces and open up pathways for separatist currents such as Kurdish nationalism.'[29]

Over the past ten years, the state of virtual civil war in south-eastern Turkey between the Turkish government and the Kurdish separatist movement, the PKK, has seriously disrupted education. Recently, as fighting has intensified, many teachers have reportedly left their schools in villages and small towns, finding themselves under pressure from both sides. The Turkish authorities have pressured teachers to inform on their students and their families, making their position untenable in the local community. At the same time, the PKK threatens teachers for continuing to teach the Turkish curriculum, which denies Kurdish identity.

Although there has been publicity about a relaxation in the ban on the use of Kurdish, nothing has changed legally. According to government protocols issued since 1990, Kurdish can be spoken in private – but the boundaries between public and private use are still not clearly defined. Kurdish publications are still not formally permitted though, for many years, Kurds have defied the law and risked imprisonment to publish clandestinely in Kurdish. Such small liberalizations as have occurred have so far had no appreciable effect on the education system.

There has been very little research on the impact of 'Kemalist' education in Turkish on Kurdish children. In Turkish universities and colleges, academics have been sent to jail for trying to do research on Kurdish issues.[31]

DIRECTIONS FOR THE FUTURE

1. Minorities and education

The importance to minority groups of the transmission of their values and world view through education is recognized by international standards.

Education in its widest sense takes place in the interaction of the individual with the social and natural environment. Of this environment the school is only a small part, and additional attention should be paid to the other channels of informal education and in particular the media.

Further research should be undertaken to reveal the complex range of experience within minority and majority education.

2. Resources for education

Minorities should participate in general programmes of resourced education to the same extent as other citizens of the state, according to principles of non-discrimination and equal rights.

Minorities have special claims which also reflect the idea of equality as they are often in a vulnerable position in relation to more powerful groups in society.

Education programmes and services for minority groups should be developed and implemented in cooperation with them.

3. Majorities and education

Measures should be taken in the field of education in order to encourage knowledge of the history, traditions, language and culture of the minorities living within the society.

Measures should be taken to eliminate prejudices that majorities may harbour in respect of the minorities.

4. Languages

Bilingualism and multilingualism should be seen as a positive advantage.

Children should be taught to read and write in their own language or in the language most commonly used by the group to which they belong.

Adequate measures should be taken to ensure that all children have the opportunity to attain fluency in their national language or in one of the official languages of the country.

5. Curricula and materials

Through the school curriculum and materials used, all persons should have adequate opportunities to gain knowledge of the society as a whole.

Minorities and majorities should have the opportunity to understand and participate in each other's cultures and languages.

6. Good educational practice in developing educational materials

Minority group members should be treated as joint and equal partners in the development of resources.

Minority group members should have the space to disagree among themselves without feeling that their input to a project will be threatened by lack of unanimity.

Majority members of such projects should learn from the process of discussion and inform themselves of the realities of different minority cultures and histories.

7. Teachers and classroom practice

Teachers need to be trained to be aware of their own cultural biases and seek to modify them.

Teacher-training should include learning about the cultures of their students and their experiences as members of minority groups.

Teachers should promote a climate of acceptance, mutual respect and collaboration in the classroom, thus facilitating the expression of ideas, feelings and different cultural values and experiences.

Minority views should be given the same critical hearing as majority views, and teaching should avoid stereotypical labelling of the attributes and competence of different minority groups.

NOTES

INTRODUCTION

1 See Dorkenoo, Efua and Elworthy, Scilla, *Female Genital Mutilation: Proposals For Change*, Minority Rights Group, 1992, and MRG's complete catalogue of publications.

STATE EDUCATION AND MINORITY RIGHTS

1 Cameron, J. *et al.* (eds) *International Handbook of Education Systems*, (3 vols), John Wiley and Sons, Chichester, 1984.

2 Details from Cowen, R. and McLean, M. (eds), *International Handbook of Education Systems: Asia, Australasia and Latin America*, John Wiley and Sons, Chichester, 1984, Vol. 3.

3 Such key documents would include the US Declaration of Independence (1776), the Virginia Bill of Rights (1776), the first ten amendments (enacted 1791) to the US Constitution and the French Declaration of Rights of 1789. Another crucial document would be Tom Paine's *The Rights of Man*.

4 There were other unresolved issues about groups of people who, in numerical terms, were clearly not minorities, such as women, children and the poor, but who might, in terms of their lack of access to power within the state, be seen as a form of minority.

5 As of January 1993, the Convention had been ratified by 126 states. UNICEF claimed its proper implementation would cost $25 billion annually; this is roughly about the same amount of money spent on wine in Europe each year.

6 Another example would be the use of the term 'Mountain Turks' for Kurds by some Turkish education officials in the 1980s, when questioned about their educational provision for minorities.

7 A classic historical example would be the way in which Jewish people, denied access to most avenues for social mobility during the nineteenth (and most of the twentieth) century in many of the states in which they resided, concentrated on others over which they were allowed some measure of freedom and control, such as education. One consequence was their prominent position in the intellectual life of both centuries. More modern examples would be Jains in India, Copts in Egypt and Chinese in Malaysia. Whether the key to their success is education or religion is a moot point. Their economic power is also fragile, as it often lacks supporting political power, as East African Asians found out to their cost in the 1960s and 1970s.

8 For over a decade the Council of Europe and the EU have preferred to describe education for a multicultural society as 'intercultural education'.

INTERNATIONAL STANDARDS

1 Text in *Protection of Linguistic and Racial Minorities by the League of Nations*, Geneva, August 1927; Thornberry, P., *International Law and the Rights of Minorities*, Appendix 1, Clarendon Press, Oxford, 1991 and 1992.

2 Robinson, J. *et al.*, *Were the Minorities Treaties a Failure?* Antin Press Inc., New York, 1943, pp. 215-16.

3 *Ibid.*, p. 216.

4 Principally through the inclusion of an article on minorities in the International Covenant on Civil and Political Rights – Article 27. This set a pattern for subsequent developments.

5 Article 2.

6 For a review of the assumptions underlying the Universal Declaration, see Thornberry, *op.cit.*, p. 133-7.

7 Article 2.1.

8 *Ibid.*

9 See General Comment 3 (1990): The nature of States parties' obligations, reproduced in *Manual on Human Rights Reporting*, HR/PUB/91/1, UN Sales No. E.91.XIV.1, 43-7. Paragraph 2 of the Comment states: '...while the full realization of the relevant rights may be achieved progressively, steps towards that goal must be taken within a reasonably short time after the Covenant's entry into force for the States concerned. Such steps should be *deliberate, concrete and targeted* [author's emphasis] as clearly as possible towards meeting the obligations recognized in the Covenant.'

10 *Vienna Declaration and Programme of Action*, UN Doc. A/CONF>157/23, 12 July 1993, I, paragraph 5.

11 Series A, No. 23, 1976.

12 *Case Relating to Certain Aspects of the Laws on the Use of Languages in Education in Belgium*, Series A, No. 6 (1968).

13 There are extensive provisions on minority language education in another major Council of Europe instrument: the *European Charter for Regional or Minority Languages*, European Treaty Series 148 (1992). While much of Article 8 of the Charter relates to the educational medium (the minority language), states may undertake by 8(g) 'to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language'. See also Article 7. Further, in Parliamentary Assembly Recommendation 1201 (1993), which serves as a basis for examining the laws of States applying for membership of the Council of Europe, Article 8 provides:

1. Every person belonging to a national minority shall have the right to learn his/her mother tongue and to receive an education in his/her mother tongue at an appropriate number of schools and of State educational and training establishments, located in accordance with the geographical distribution of the minority.

2. ...persons belonging to a national minority shall

have the right to set up and manage their own schools and educational and training establishments within the framework of the legal system of the State.

These and other aspects of the work of the Council of Europe in the field of minority protection, including general work on education, are the subject of a forthcoming (1994) study by the author and M. Amor Martin Estebanez.

14 Among the many works dealing with the jurisprudence of the Human Rights Committee on Article 27, see most recently, Alfredsson G. and de Zayas, A. 'Minority rights protection by the United Nations', *14 Human Rights Law Journal, No. 1-2* (February 1993), 1-9. A concise interpretation of Article 27 is offered by the present author in Phillips A. and Rosas A.(eds), *The UN Minority Rights Declaration*, Abo Akademi University and Minority Rights Group International, Turku/Abo and London, 1993, pp. 11-71.

15 For a review up to 1989, see Thornberry, P., *International Law and the Rights of Minorities*, chs. 16-23.

16 Notably UN Special Rapporteur F. Capotorti in *Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities*, UN Sales No. E.91.XIV.2, United Nations, New York, 1991.

17 Adopted in UN General Assembly Resolution 47/135, 18 December 1992.

18 See the collection of articles on the UN Declaration in Phillips and Rosas, *op.cit.*

19 UNESCO Doc. 27C/38, Annex I, 17 August 1993.

20 27 November 1978. See Lerner, N. 'New concepts in the UNESCO Declaration on Race and Racial Prejudice', *3 Human Rights Quarterly No. 1* (1981), vol. 48.

21 ILO Convention No. 169 revises the assimilationist orientation of Convention No. 107, 1957. There is an enormous difference between the standards in the World Bank 1982 Policy statement: *Operational Manual Statement 2.34, Tribal People in Bank-Financed Projects*, and the 1991 *Operational Directive 4.20, Indigenous Peoples* – a difference which reflects the greatly enhanced status of the peoples and understanding of their concerns, fears and aspirations which developed through the 1980s, largely as a result of organizational action by the peoples themselves.

22 The CSCE texts do not have the character of international treaties and are better described as political agreements. They do, however, reflect the international commitments of the states concerned and demonstrate that significant progress can be made in the human rights field by methods other than treaties. The same is true of UN General Assembly resolutions, especially those which reflect an international consensus.

23 Text in UN Doc. E/CN.4/Sub.2/1993/29, Annex I: *Report of the Working Group on Indigenous Populations on its Eleventh Session*.

THE PREREQUISITES OF EDUCATION

1 Covenant on Economic, Social and Cultural Rights, 1966, Art. 11; Convention Against Discrimination in Education, 1960.

2 United Nations, *Human Development Report*, New York, 1991, p. 193.

3 *Ibid.*, p. 2.

4 *Ibid.*, see Table 33 relating to education profile for compulsory, secondary, and tertiary education, p. 181. These figures are for the years 1986-9.

5 *Ibid.*, Table 29 on trends on human development, p. 177.

6 *Ibid.*, Table 14, Educational Profile, pp. 146-7.

7 *Ibid.*, Table 15 on educational imbalances, p. 149.

8 United Nations, *Human Development Report*, New York, 1993. See Tables on pp. 164, 170, 193, 198, and 202.

9 *Ibid.*, Table 15, p. 165.

10 United Nations, *Report of the Special Rapporteur on the Realization of Economic, Social and Cultural Rights*, E/CN.4/Sub.2/1992/16, pp. 11-31.

11 United Nations, *Human Development Report*, New York, 1991, pp. 58-60.

12 *Ibid.*, p. 58.

13 *Ibid.*, p. 65.

14 *Ibid.*

15 Covenant on Economic, Social and Cultural Rights, 1966, Art. 2(1).

16 Committee on Economic, Social and Cultural Rights, *General Comment* No.3, 1990.

17 Covenant on Economic, Social and Cultural Rights, 1966, *op.cit.*

18 *Ibid.*, Art. 13(1).

19 Convention on the Elimination of All Forms of Racial Discrimination, 1965, Art. 1(4); Covenant on Civil and Political Rights, 1966, Art. 27. See McKean, *Equality and Racial Discrimination Under International Law*, Oxford, 1983, pp. 13-24.

20 Convention on the Elimination of All Forms of Racial Discrimination, 1965, Art. 4(1); *Gerhardy v Brown*, pp. 517-21. Beyani, *supra*, p. 245.

21 McKean, *Equality and Racial Discrimination*, p. 159; Beyani, *supra*, p. 245.

22 *Minority Schools in Albania* (1935), Ser.A/B, No. 64, at p. 17.

23 United Nations, *Human Development Report*, New York, 1993, p. 26.

24 Visited by the author on a refugee protection mission with the Lawyers' Committee for Human Rights to Mozambique and Malawi in July 1993.

25 Wilson, 'Internally displaced, refugees and returnees from and in Mozambique', *SIDA Studies on Emergencies and Disaster Relief*, Report No. 1, Oxford, 1992.

26 *News from Africa Watch*, 1 June 1990, pp. 2-3 and 6-7.

27 Information obtained from Mr Abubacar M. Sultan, National Director of Save the Children Federation in Mozambique, July 1993.

28 Convention Relating to the Status of Refugees, 1951, Art. 22.

29 Covenant on Economic, Social and Cultural Rights, Art. 2(3).

30 Wooldridge, H. *et al.*, 'Education for adult Mozambican refugees in Swaziland', *Convergence*, 23 (3) (1990), pp. 23-36; Wilson, *supra*, p. 34.

31 UNHCR, Malawi, UNHCR Briefing note for Mozambican refugees, March 1993, p. 8. In addition, information relating to this project was obtained by the author during his visit to Malawi to assess the protection of refugees in that country on a mission with the Lawyers' Committee for Human Rights. The author visited Kapesi refugee camp in Dedza which has a population of 7,760 refugees, most of whom were of the Ngoni, Nyungwe and Makalanga tribes and came from Tete province in Mozambique.

32 The size of the population of refugee children in Malawi is not known but the refugee population as a whole grew from 100,000 in 1986 to 1,200,000 in 1993.

LANGUAGE AND EDUCATION

1 Linguists continuously debate the differences between a language and a dialect. Professor Harold Rosen once said that the main difference was that a language had an army and an air force, a dialect did not. In other words, the distinction is often made on non-linguistic grounds and has more to do with the politics of language than with academic linguistics.

2 Quoted in Skuttnabb-Kangas and Cummins, 1988, p. 379.

3 Casting off Soviet domination has often been followed by the casting off of the Russian language and the adoption of English and German as second languages within the schools. It has also led to the creation of a new stigmatized minority, the Russians.

4 The UK has Cornish, French, Irish Gaelic, Manx, Scottish, Scottish Gaelic and Welsh. France has Basque, Breton, Catalan, Corsican, Dutch, German and Occitan.

5 And also their schools. In London, for example, over 200 different languages are spoken by students in the education system.

6 'Multilingual' is a term increasingly being used to describe the linguistic position of many students in schools, and is often a more accurate term than 'bilingual'. Here, 'multilingual' is used to mean both bilingual (having two languages) and multilingual students (having more than two languages).

7 Skutnabb-Kangas's definition is: 'The mother tongue is the language one has learned first and identifies with'. (Skutnabb-Kangas, T, *Language, Literacy and Minorities*, Minority Rights Group, 1990).

8 The Minority Rights Group report, *Language, Literacy and Minorities* (Skutnabb-Kangas, T., *Language, Literacy and Minorities*, Minority Rights Group, 1990) is an excellent and detailed account of these issues.

9 See, for example, Fishman (1975) and Skutnabb-Kangas, 1990.

10 Skutnabb-Kangas, 1990, p. 13.

11 Appel and Muysken, 1987, p. 65.

12 *Ibid.*, p. 65.

13 For further details of this see Skutnabb-Kangas, 1990.

14 *Ibid.*, p. 13.

15 For further details see Warner, Rachel, *Bangladesh is my Motherland*, Minority Rights Group, 1992. Note that quoted comments by pupils were transcribed verbatim.

16 Sylheti is not written down. Those speaking this dialect learn to read and write Standard Bengali.

17 Appel and Muysken, 1987.

ASPECTS OF RELIGION IN SECULAR EDUCATION

1 The divisions occurring at the 1993 international conference in Vienna between the Western and Asian countries show Asian worries on the split between individual and group rights. See *The Guardian*, 21 June 1993, p. 8.

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8 Sen, A., 'The Threats to Secular India', *The New York Review of Books*, 8 April 1993.

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11 Verma, *op cit.*, p. 34.

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1 Gundara, Jagdish, in an unpublished paper. See also Edward Said, *Culture and Imperialism*, Chatto & Windus, London, 1993.

2 See Watson, K., 'Ethnic and cultural diversity and educational policy in an international context' in J. Lynch, C. Modgil and S. Modgil (eds) *Cultural Diversity and the Schools*, vol. 4 – *Human Rights, Education and Global Responsibilities*, Falmer Press, London/Washington DC, 1992, p. 261; R. Stavenhagen, *The Ethnic Question, Conflicts, Development and Human Rights*, UN University, Tokyo, 1990, p. 142.

3 For a review of policy options, see Watson, 1992, *op. cit.*

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9 Graham-Brown, 1991, *op. cit*, p. 168.

10 Gundara, *op. cit.*

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13 For details on pre-1980 education system, see Mari, *op. cit*, chapters 2-5; S. Graham-Brown, *Education, Repression and Liberation: Palestinians*, World University Service (UK), London, 1984, chapter 3.

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29 14-year-old Kurdish student in UK – writing in Turkish – in *Voices from Kurdistan, op. cit*, p. 11.

30 Chaliand, *op. cit*, p. 74.

31 The Diyarbakir branch of EGIT-SEN, the higher education union, is reported to be conducting some research on the impact of the Turkish educational system on Kurdish children. However, in the present political climate, the research is fraught with difficulties and may take some time to complete.

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EDUCATION RIGHTS AND MINORITIES

EXCHANGE AND ENCOURAGEMENT

Chiri Mutsumi is an Ainu, living in Tokyo in Japan. The Ainu are one of the indigenous peoples of the country. They used to be warriors and it took the Japanese several centuries to conquer them completely. Today the Ainu live mostly on Hokkaido, Japan's northern island, although some, like Chiri Mutsumi, have moved to Tokyo. The Ainu call Hokkaido 'Ainu Moshir' which means the 'quiet land of human beings'. Although the Ainu are Japanese citizens they have been – and continue to be – discriminated against by the majority Japanese.

Chiri Mutsumi tells her story:

"I was born in the 1940s and, in comparison to other Ainu of my age, my experience of discrimination as a child was small. This may have been because we were the only Ainu family in the town where we lived. The other children knew very little about us as we were not taught anything about the Ainu at school. Some children, however, would shout "Ainu! Ainu" after me, echoing the words of their elders. I soon became aware that "Ainu" was not a word to be proud of.

I have spent some time looking through my daughter's old school textbooks and have found hardly any mention of the Ainu. She says they were only discussed two or three times the whole period she was at school. In one current textbook I found a few lines about the Ainu which included this sentence: "Advances into the region [Hokkaido] from Honshu [Japan's main island] occurred steadily, mainly through fisheries, and the life of the Ainu came under pressure." This innocuous-sounding statement masks the reality of what happened to the Ainu. The "advance" in fact meant aggression by the Japanese, who attempted to deprive us of our lands and also our culture. They exploited Ainu Moshir and recklessly logged the trees which used to cover the land. I wonder what people really understand when they read phrases like "mainly through fisheries"?

Clearly Ainu children – and majority Japanese children – can learn nothing of value from such textbooks. However, maybe surprisingly, I feel such inaccurate mentions are better than no mention at all of our people. There is always the hope that teachers and students might at least discuss the problem. For this to happen we need teachers to be trained with a much greater knowledge of the Ainu.

Another important consideration is the Ainu language. It has never been taught in the public education system. Although the Japanese government reluctantly recognized the Ainu as a minority people in 1991 they have done nothing about the Ainu language. Japanese children are educated in Japanese, it is only reasonable that Ainu children should receive an education that is taught in the Ainu language.

Members of the Ainu people, Japan

I feel it is important that all schools in Japan should teach the language, culture and history of the Ainu regardless of whether or not there are Ainu children in that particular school. As well as being of great benefit to Ainu children's sense of identity and self worth, Japanese children would also benefit. By learning about the Ainu through language, culture and history, Japanese pupils would be given an opportunity to review their own past. They would be able to see things from an Ainu point of view, not just from the majority Japanese viewpoint. They would learn that within the Japanese archipelago there exists a people whose way of thinking, values and culture are different from theirs. They would learn how important it is to be aware of the mistakes committed by their own people against the Ainu."

Adapted from *False Images: The Ainu in School Textbooks* by Chiri Mutsumi, Ainu Society of Japan, first published in AMPO Vol. 24 No. 3, published by the Pacific Asia Resource Centre, Tokyo, Japan, 1991.

State education and minority rights

A state may query whether minorities should have special educational rights at all. It may see the purpose of its education system as being the inculcation of a sense of national unity and identity and, therefore, when it makes declarations about the educational rights of all its citizens, these may not include the rights of minorities.

This approach is often in conflict with the idea of special rights for minorities in respect of language, religion and curricula. Minorities themselves see education as crucial, both for their future prospects (since many are disadvantaged) and also for transmitting their own values and culture.

It is important to consider who defines minority groups. Is it the majority or the minorities themselves? Different educational provision may result from whose definition is used. At its most extreme, a state does not even need to consider any special provision for a minority which it does not define as officially existing (for example, the Kurds in Turkey).

International legal standards and minorities

International law recognizes that education is a general human right and also a crucial part of minority rights. Minority rights to existence and identity presuppose an educational component.

The Universal Declaration of Human Rights (1948) does not refer to minorities but offers a general human right to education on the basis of non-discrimination: 'Everyone has the right to education.' The UN Convention on the Rights of the Child (1989) makes important allusions to identity and culture. Article 29 suggests that education should be directed to: 'The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate...'

Of the instruments making specific reference to minorities, the key one is Article 27 of the Covenant on Civil and Political Rights (1966): 'In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right...to enjoy their own culture, to profess and practise their own religion, or to use their own language.' Although the meaning of this for minority education is not very clear, it has been assumed that education is covered by Article 27. The UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992) extends the meaning of Article 27 and makes specific reference to education. The various texts of the CSCE process also refer to the importance of minority education rights.

Language issues

One of the critical ways in which minorities define themselves is through their language. Language is an essential part of an individual's identity, and for minority groups it is a significant part of group identity. The minority language transmits the cultural norms and values

Children in Tehuantepec, Mexico

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of the group. In most states, however, the minority language(s) do not have equal status with the majority languages(s). Majority languages have prestige and status whereas minority languages are usually perceived by members of the majority to be inferior.

From the position of the state, language is seen as one of the bonds that hold the state together. It can be argued that the cultural identity, and political and social unity of a state will be promoted if everyone is educated in the same national language. In addition, the cost of providing minority language teaching can be prohibitive, especially in states with many languages.

It is not in dispute that minority groups need to be taught the national language of the state in which they live in order that they may participate fully in that society. However, there are also strong arguments for teaching minority languages, as well as the majority language. A child's first language is normally the best medium for learning, especially in the early stages of education. Minority language teaching is necessary for the development of a positive self-image and for children to know about their history and culture. In addition, mother-tongue teaching, as well as being important in its own right, actually enhances second-language learning rather than detracts from it. Teaching minority languages prevents language loss, and also helps to prevent the forced linguistic and cultural assimilation of minority groups: cultural and linguistic pluralism can be seen as enriching society as a whole.

Religion and secularism

Religion and religious education is clearly, like language, another key area in the education of minorities. Since education is provided by the state it belongs to the public domain, while religion in a secular state belongs to the private domain. However, for many minorities, if their religion remains in the private domain it may become invisible and low status – both in educational terms, and to society at large. Another difficulty is that secular values may not satisfy the religious longings and needs of minorities, who may then argue for separate schools. There is often a real tension between the values of a secular society and the religious values many minorities may wish their children to learn.

If religious minorities establish their own separate schools through disenchantment with state schooling, then mutual understanding between the minority and majority is much more difficult to achieve. The rise of fundamentalism in secular states may well be a reflection of how those states have failed to provide a safe and secure framework for different religious minorities.

Minorities and the curriculum

The school curriculum reflects the ideology of the state and may well have in-built cultural assumptions which are irrelevant or opposed to minority groups' needs and views of the world. Indeed, educational materials are often deliberately politically manipulated. At their most oppressive, assimilationist curricula can be used to suppress religious and cultural identities, languages and the knowledge and history of a particular minority group. Different minorities' concerns with the curriculum vary according to their particular situation – one group may stress the importance of learning in their own language, another may be more concerned about appropriate religious education, while another minority group may want primarily to reclaim its lost history.

Arab children from Haifa, Israel.

Curricula and textbooks, along with teachers' attitudes, can also allow or actively promote negative stereotypes of particular groups which not only affect the sense of identity and self worth of the minority, but also ensure that the next generation of majority children retain these views. There are dangers – in challenging authoritarian educational systems – of replacing the victimization of one minority with that of another, or even a majority. There is also a danger (in the type of multicultural education policies that have become common in the countries of the North) to focus on minorities rather than to look at racism in the majority culture. A key issue for minorities is whether they have any part in developing education policy and the curriculum.

Economic issues also cannot be ignored; many minority groups are among the poorest sections of the population and do not have access to any education beyond the first few years.

ISSUES FOR ACTION

The importance to minority groups of the transmission of their values and world view through education is recognized by international standards. Education in its widest sense takes place in the interaction of the individual with the social and natural environment. The school is only a small part of this environment. The range of experience within minority and majority education is complex and the following issues should be taken into account.

1 **Resources for education** Minorities should participate in general programmes of resourced education to the same extent as other citizens of the state, according to principles of non-discrimination and equal rights.

2 **Majorities and education** Measures should be taken in the field of education in order to encourage knowledge of the history, traditions, language and culture of the minorities living within the society.

3 **Languages** Bilingualism and multilingualism should be seen as a positive advantage.

4 **Curricula and materials** Through the school curriculum and materials used, all persons should have adequate opportunities to gain knowledge of the society as a whole.

5 **Good educational practice in developing educational materials** Minority group members should be treated as joint and equal partners in the development of resources.

6 **Teachers and classroom practice**
Teachers need to be trained to be aware of their own cultural biases and seek to modify them.

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This Profile is a summary of the Minority Rights Group International Report

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by Chaloka Beyani, Sarah Graham-Brown, Jagdish Gundara, Crispin Jones, Patrick Thornberry and Rachel Warner

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